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A defense of a particularist research program.

Uri D. Leibowitz
University of Massachusetts Amherst

A DEFENSE OF A PARTICULARIST RESEARCH PROGRAM

A Dissertation Presented

by

URI D. LEIBOWITZ

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Department of Philosophy

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Approved as to style and content by:

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Gareth B. Matthews, Chair

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DEDICATION

To my moral and intellectual role models,
my grandparents, Lea and Simon Gitter
and my parents, Daniela and Elia Leibowitz

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I am extremely fortunate to have had the opportunity to write my dissertation under the guidance of Gareth Matthews. It is impossible to express in words my gratitude to Gary for his invaluable guidance, encouragement, and support ever since my very first semester in graduate school. Indeed, it was Gary's seminar on Aristotle's *Nicomachean Ethics* in the fall of 2002 that sparked my interest in Aristotle's virtue theory, and subsequently, in particularism. Not only has Gary been a teacher, a mentor, and a friend to me, but also a philosophical role model. While writing my dissertation, I have often found myself thinking how Gary would address the questions I was thinking about, what questions he would ask me, and how he would have expressed these ideas had he been writing my dissertation instead of me. Moreover, Gary has tremendously influenced my approach to teaching philosophy. In teaching, as in writing, I often ask myself what Gary would do—how Gary would present the relevant subject matter and how he would handle various situations in the classroom.

In the *Nicomachean Ethics* IX.1 Aristotle observes that a student's debt to his philosophy teacher is unique. "For money is not the standard by which the worth of a [philosophy] teacher can be measured, and no honor could match what he has given." Surely, no amount of money and no honor could match what I received from Gary over the past six years. Yet Aristotle goes on to say that we must "make what return we can, just as we do in the case of the gods and our parents." The only return I can currently offer is to humbly express my gratitude to, and my immense admiration and respect for my teacher. Thank you, Gary!

I am also tremendously fortunate to have had Fred Feldman and Hilary Kornblith serve on my dissertation committee. Both Fred and Hilary played a crucial role in my philosophical development. Fred and Hilary have very different philosophical worldviews and they approach philosophical problems in radically different ways. I have greatly benefited from having the opportunity to study with both of them. Despite their many differences, Fred and Hilary have at least one thing in common: they are both extraordinary teachers. Both Fred and Hilary were always willing to make themselves available to discuss philosophical issues with me. Over the years I've received remarkable amounts of invaluable feedback from them. They each read many drafts of my work, and on each and every occasion I received prompt, detailed, and significant comments. I would not have been able to complete my dissertation when I did had it not been for the exceptionally speedy response time from each of them, and the quality of my work increased substantially as a result of their constructive criticisms. I cannot imagine a better dissertation committee than the committee I had, and I am forever grateful to Gary, Fred, and Hilary for all that they have taught me.

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ABSTRACT

A DEFENSE OF A PARTICULARIST RESEARCH PROGRAM

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URI D. LEIBOWITZ, B.A., TEL-AVIV UNIVERSITY, ISRAEL

Ph.D., UNIVERSITY OF MASSACHUSETTS AMHERST

Directed by: Professor Gareth B. Matthews

Particularism is one of the most interesting and controversial doctrines in moral philosophy today. Yet despite the considerable attention it has received in recent years, there is still extensive disagreement about its precise content, and whether it is a viable alternative to traditional moral theories. In this dissertation I develop, motivate, and defend a novel formulation of particularism.

In Chapter One, I present my formulation of particularism. I claim that particularism is not a single thesis but a *research program*. Research programs are collections of theories and methodological rules that can be characterized by their "hard core"—the set of commitments that cannot be abandoned without abandoning the research program altogether. The particularism-generalism debate, I suggest, is a debate over which research program we ought to pursue. *Generalism* is a research program characterized by the core hypothesis that in order to explain morality, and especially the rightness and wrongness of actions, we must appeal to exceptionless moral principles. *Particularism* is an alternative research program characterized by the core hypothesis that morality—including the rightness and wrongness of actions—can be explained without appealing to exceptionless principles. I go on to show that my formulation is not vulnerable to the most common objections to particularism.

Chapter Two argues that particularist accounts of morality have a certain advantage over many of their more conventional competitors. Consider the following moral advice: (RD) Perform action *A* only if after reflecting on and deliberating about the normative status of *A*, you do not believe that *A* is morally wrong. I argue that if (RD) is good moral advice, then we should be able to explain how it is that the features that one considers while reflecting on and deliberating about the normative status of actions reliably track the *real* right-making features of actions. I claim that generalists cannot explain this fact, whereas particularists can. Finally, I submit that there is strong intuitive support for the claim that (RD) is good moral advice, and consequently, that we have reason to favor particularist accounts of morality over generalist accounts.

Chapter Three examines the nature of particularist explanations of the rightness (or wrongness) of actions. First, I discuss some reasons for thinking that explanations must be grounded in exceptionless principles, and I claim that a deductive approach to explanation is unmotivated. Next, I argue that we have good reasons for thinking that not all explanations are deductive, and I explore several non-deductive models of explanation, some that are based on the availability of *ceteris paribus* laws, and others that do not require laws at all. Finally, I argue that when we apply insights about the nature of explanation from the philosophy of science to ethics, we have good reason to believe that explanation in ethics need not be deductive.

In Chapter Four, I propose a particularist interpretation of Aristotle's *Nicomachean Ethics*. First, by focusing on Aristotle's proclaimed goals and methods in the *Nicomachean Ethics*, I show that we have ample evidence for thinking that Aristotle was not a generalist. Next, I argue that we can read Aristotle as offering an explanation

of morality without appealing to exceptionless moral principles. More specifically, I maintain that Aristotle is not trying to help us identify which of the range of actions available to us is morally right; instead his theory is meant to teach us how to explain why those acts that we know are right have the normative status they do. I claim that Aristotle's doctrine of the mean is not intended to serve as a decision procedure, but as an explanatory schema that we should apply in order to explain why right acts are right. Finally, I explain how my proposed interpretation is compatible with Aristotle's claim that the study of ethics should help us to become good.

TABLE OF CONTENTS

CHAPTER 1

PARTICULARISM AS A RESEARCH PROGRAM

What makes some acts morally right and others morally wrong? Traditionally, philosophers have thought that in order to answer this question we must find and formulate *exceptionless moral principles*—principles that capture all and only morally right actions. Utilitarianism and Kantianism are paradigmatic examples of such attempts. In recent years, however, there has been a growing interest in a novel approach—*Particularism*—although its precise content is still a matter of controversy. In this chapter I develop and motivate a new formulation of particularism as a *research program* and I show that my formulation is not vulnerable to the most common objections to particularism. Moreover, I argue that the particularist research program shows enough promise to warrant further exploration.

1.1 Introduction

Particularism is one of the most interesting and controversial doctrines in moral philosophy today. Yet despite the considerable attention it has received in recent years, there is still extensive disagreement about its precise content, and whether it is a viable alternative to traditional moral theories. The most prevalent objections to particularism are that particularism is demonstrably false and that particularism is unmotivated.[1] I believe that these negative assessments of particularism result from a misconception of

[1] See, for example, Sinnott-Armstrong (1999), Irwin (2000), Hooker (2000), Crisp (2000), McKeever & Ridge (2005a, 2005b, 2006), and Raz (2006).

the nature of particularism. I hope to show that particularism, properly understood, is a well-motivated project that should not be dismissed out of hand.

I proceed as follows: first, I outline one recent version of a standard argument against particularism and explain why it is based on a misconception of particularism (section 1.2). Then, I offer a new formulation of particularism as a *research program*, and I show that my formulation is not vulnerable to the most common objections to particularism (sections 1.3 & 1.4). Next, I argue that particularism is a promising research program that warrants further exploration (section 1.5). Last, I respond to three possible objections to my proposed formulation of particularism (section 1.6).

1.2 The Standard Debate over Particularism

Recent interest in particularism has given rise to a plurality of distinct views that go under this heading. Particularism has been identified as a claim about moral psychology,[2] a statement about the nature of reasons,[3] a view about the relationship between descriptive and evaluative predicates,[4] a thesis about the *normative priority* of particular moral judgments,[5] a denial of the existence of exceptionless moral principles,[6] the theory that morality cannot be codified by any finite set of principles,[7] and as the claim that the possibility of moral thought and judgment does not depend on the provision of a suitable supply of moral principles.[8]

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[2] Dancy (1983), McNaughton (1988), Dworkin (1995).
[3] Hooker (2000), Little (2000), Richardson (2003), Kirchin (2007).
[4] Jackson, Pettit & Smith (2000).
[5] Irwin (2000).
[6] Shafer-Landau (1997), McNaughton & Rawling (2000), Dancy (1983), Raz (2006).
[7] Holton (2002).
[8] Dancy (2004).

The common feature of all particularist theses is often identified as the denial of (some feature of) principle-based moral theories. For example, McKeever & Ridge claim that: "Different forms of particularism are defined by the different negative claims they make about moral principles."[9] And that "The different species [of particularism] are united in that they all assert what intuitively is a negative thesis about moral principles." They go on to propose a classification of particularist theories based on the negative thesis each version advocates, and they add that "each form of particularism which falls out of our taxonomy corresponds neatly to a form of generalism which is the negation of that particularist thesis." (5) Similarly, Lance and Little (2006) claim that particularism "hangs its hat on" rejecting *classical principles*. They identify classical principles as "exceptionless, explanatory interrelated moral generalization that are capable of serving key epistemic functions," (571) and they individuate each version of particularism according to the component of the *classical principles* framework it rejects. Joseph Raz (2006), in a recent critique of particularism, considers (and rejects) several possible particularist theses. In each case he characterizes the particularist thesis by identifying a generalist thesis it denies.[10] Particularism, then, is often construed as a negative thesis, and the dialectic between particularists and their generalist opponents is often characterized as follows: generalists propose moral principles or principle-based accounts of morality, and particularists object to these principles/accounts.

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[9] McKeever & Ridge [henceforth M&R] (2006) P. 14.
[10] See Raz (2006) esp. pp. 113-117.

After identifying the common feature of *all* particularist theses, M&R go on to argue that all particularist theses are false. In Chapter Six of their recent book, M&R present what I take to be their main argument against particularism:

> [O]ur judgments about all things considered moral verdicts, insofar as those judgments constitute knowledge, suffice to ensure the availability of a suitable moral principle, namely a default principle. So moral judgment, insofar as it constitutes knowledge, does presuppose the availability of a suitable stock of moral principles. [Particularism] about hedged principles is thus false. (120-121)

I propose the following two-step reconstruction of their argument:[11]

The Knowledge to Principles (KP) Argument:

1. There are instances of moral knowledge.
2. If there are instances of moral knowledge, then there are exceptionless moral principles.
3. Therefore, there are exceptionless moral principles.

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[11] The argument in Chapter Six is meant to show that particularism about *hedged moral principles* is false; in Chapter Seven M&R argue that we can "trim the hedges"—that we have reason to be confident that there are non-hedged moral principles that can codify the entire moral landscape. A hedged principle, according to M&R, is a principle that doesn't specify all the possible defeaters and countervailing reasons, but instead it quantifies over them. For example, the following principle is a hedged principle: For any action, A, if A involves torturing babies for fun and no other reasons are present, then A is morally wrong. This principle is a hedged principle because of the qualification "and no other reasons are present." This "hedge" doesn't specify which features may outweigh the fact that the act involves torturing babies for fun. Instead, this principle states that as long as such feature are not present—whatever they might be—an act that involves torturing babies for fun is wrong. To the best of my knowledge no one defends what M&R call "particularism about hedged moral principles." M&R discuss this version of particularism as a step in their argument against particularism about non-hedged principles. However, M&R's argument against particularism about hedged moral principles—indeed, the fact that their taxonomy allows for particularism about hedged principles and generalism about hedged principles—illustrates a standard misconception concerning the debate over particularism. I will argue that the issue is not whether there are hedged or non-hedged moral principles, but rather whether there are principles that are both explanatory and exceptionless. For simplicity of exposition, then, I reconstruct M&R's argument in the main text as an argument for the conclusion that particularism is false.

The Principles to Generalism (PG) Argument:[12]

3. There are exceptionless moral principles.
4. If there are any exceptionless moral principles, then particularism is false.
5. Therefore, Particularism is false.

M&R spend most of chapter six defending premise (2). They claim that premise (2) is demonstrably true, and indeed, they argue for its truth by constructing a method for generating exceptionless moral principles.[13] According to M&R, moral knowledge is based on the identification of purely descriptive facts that are moral reasons for and against performing a certain action: "[I]n a standard case knowledge that a given action is wrong is based on a recognition of the relevant moral reasons, where these reasons are themselves simply descriptive facts which favor not performing the action." (115) Given the limitations of our perceptual faculties, cases of moral *knowledge* must be cases in which the number of morally relevant features is limited—otherwise, we will not be able to register all the morally relevant facts, and our knowledge claim will be defeated. So in cases in which we have moral knowledge we can, at least in principle, list all the morally relevant facts.

If one accepts *Atomism* in the theory of reasons—that a feature that is a (primary) reason[14] in one case must remain a reason, and retain the same polarity, in

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[12] In the introduction I have said that I will consider one standard argument against particularism. The standard argument is the (PG) argument. The (KP) argument is, to the best of my knowledge, an original contribution by M&R.

[13] Since M&R assume that all participants in the particularism-generalism debate accept premise (1), they do not argue for it.

[14] Some proponents of atomism differentiate primary (or ultimate) reasons from other (non-ultimate) reasons. These atomists allow that some reasons can sometimes count in favor of an action, and sometimes count against an action, but they insist that primary (or ultimate) reasons always make the same contribution. For example, they grant that the fact that my claim will be a lie may be a reason against making it on some occasion

any case[15]—then one has a recipe for generating exceptionless moral principles: (1) consider any particular morally right action; (2) list all the relevant moral reasons; call the conjunction of all these reasons (RC). The following principle, then, is an exceptionless moral principle:

(K) For any action, *A*, if *A* instantiates (RC) and no other reasons are present, then *A* is morally right.

However, particularists reject atomism; instead, they favor *holism* in the theory of reasons—a feature that is a reason in one case may be no reason at all, or an opposite reason, in another.[16] For example, that a job applicant really wants the job may be a reason to hire her in one context—say, in a context of hiring a new faculty member to a philosophy department, and a reason not to hire her in another context—say, in a context of hiring a new guard for Abu Ghraib prison.[17] Thus if holism is true, then even if an action instantiates (RC) and no other reasons are present, the action may be morally wrong because (RC) can change its polarity in different contexts in which it is instantiated. But since the polarity of (RC), even according to holism, is determined by features of the context, then there are some features of the context that explain why (RC) changes its polarity when it does. Consequently, even if holism is true, the following is an exceptionless moral principle:

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and no reason at all on another occasion (e.g., when playing 'Countraband'). Nevertheless, they maintain that a claim's being dishonest always counts against making it. See, for example, Crisp (2000).

[15] See, for example, Dancy (2004) p. 7. See also Shafer-Landau's discussion of *The Delimiting Thesis* in Shafer-Landau (1997) esp. pp. 591-597.

[16] See, for example, Dancy (2004) pp. 73-78.

[17] For more examples see Dancy (1993) pp. 60-64.

(K') For any action, *A*, if (a) *A* instantiates (RC), and (b) No feature of the situation explains why (RC) would fail to be a reason to perform *A*, and (c) No other (moral) reasons are present, then *A* is morally right.[18]

Therefore, even if holism is true, the possibility of moral knowledge, according to M&R, guarantees that there are exceptionless moral principles. Therefore, premise (2) of the (KP) argument is true.

But is (K') really a moral principle? Moral principles are supposed to identify an exceptionless relation between non-moral properties and moral properties.[19] Yet arguably, not *any* relation of this sort qualifies as a moral principle. For example, consider the following claim:

(GR) For any action, *A*, if (and only if) *A* is a member of *Group-R*, then *A* is morally right.

Let *Group-R* be the set of all (and only) morally right actions. If moral properties supervene on non-moral properties, then all members of *Group-R* can, in principle, be described in purely non-moral terms.[20] Consequently, (GR) identifies an exceptionless relation between non-moral properties and moral properties. But it may seem odd to call (GR) a moral principle. (GR), though true and exceptionless, is

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[18] M&R statement of this principle is slightly different (See pp. 117-8). My version of (K') is a simple generalization of their statement.

[19] One might be satisfied with moral principles that identify exceptionless relations between thick moral properties and thin moral properties. See, for example, McNaughton & Rawling (2000). However, since (K') is supposed to identify an exceptionless relation between non-moral properties and moral properties, the possibility of principles from thick to thin will not concern us here.

[20] For ease of exposition I use properties and predicates interchangeably throughout this paper.

uninteresting—it identifies the wrong *kind* of relation between non-moral and moral properties. The worry is that (K') also identifies the wrong kind of relation between non-moral and moral properties, so it may not qualify as a genuine moral principle. I do not offer here an account of the kind of relation between non-moral and moral properties that is required in order to qualify as a genuine moral principle. My point is only that not *any* such relation will do. Consequently, we have reason to doubt whether (K') is a genuine moral principle.

Moreover, (K') seems to amount to the claim that there must be some non-moral difference between any two actions that differ in moral status; that is, that moral properties supervene on non-moral properties. But particularists admit that the moral supervenes on the non-moral. For example, although Dancy says that he does not "insist in advance that all moral properties exist in virtue of, or result from, non-moral properties" (1999:25) he does insist that particularism is compatible with the supervenience of moral properties on non-moral properties.[21] In addition, particularists acknowledge that the supervenience relation entails that there are true exceptionless statements of the form:

(SP) $\forall x(Gx \rightarrow Mx)$

[x ranges over actions, G is a non-moral property, and M is a moral property]

(SP) is true and exceptionless when G describes a complete world state. Yet particularists deny that (SP) is incompatible with particularism,[22] and M&R said nothing to counter this claim. If this is right, then (K') has no dialectical force in an argument against particularism.

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[21] See Dancy (2004) p. 85.
[22] See Dancy (2004) pp. 85-93.

Opponents of particularism have typically focused their efforts on trying to establish that there are exceptionless moral principles. So far, I have claimed that it is debatable whether M&R's (KP) argument establishes that there are any such principles. But suppose that it does—that is, suppose that (K') is a genuine moral principle. Or alternatively, suppose that we can just *see* that there are some exceptionless moral principles. For example, one might think that no one should object to the following principle:

(TBF) For any action, A, if A involves torturing babies for fun and no other reasons are present, then A is morally wrong.

If (K') and/or (TBF) are genuine exceptionless moral principles, is this a problem for particularists?

It has often been taken for granted that if there are *any* exceptionless moral principles, then particularism must be false. In other words, premise (4) of the (PG) argument has been thought to require no support. I suspect that this premise has been accepted as a result of the interpretation of particularism as the denial of all principle-based moral theories. The thought, perhaps, is that if there are *any* exceptionless moral principles, there is no reason to oppose a principle-based approach. Particularists, on this interpretation, are committed to the claim that *all* moral principles are objectionable.

Particularists, I submit, should resist this construal of their thesis for several reasons. First, if particularism is understood as the denial of the existence of any exceptionless statement of the form $\forall x(Gx \rightarrow Mx)$ then particularism is clearly false. As we have seen, (GR) and (SP) are obvious counterexamples to this claim. So

particularists will have to specify which statements of this form qualify as genuine principles.[23] But the philosophical import of marking this distinction, independent of the particularism-generalism debate, is far from obvious; it would be a mistake to reduce this exciting debate to a debate over the proper application of the term *moral principle*.

Second, it is hard to imagine how particularists could succeed in showing that there are no unobjectionable principles. Proofs of non-existence are notoriously difficult, and in the absence of a proof for the non-existence of exceptionless moral principles, the particularist conclusion would always be tentative—perhaps the correct moral principles have not yet been discovered or formulated. Thus, identifying particularism as a negative thesis—that is, as the claim that *all* moral principles are objectionable—places the particularist at a dialectical disadvantage. Particularism could be refuted, on this construal, by one example of an unobjectionable exceptionless moral principle.

Finally, even if particularists could establish that *all* conceivable principle-based moral theories are problematic, it might still be rational to retain a principle-based approach to morality. Theory choice is a comparative task—we adopt the theory that has the best overall balance of advantages over disadvantages. So if particularists want to argue that the principle-based approach to morality should be abandoned, they must offer a plausible *positive* non-principle-based account of morality; pointing out that a

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[23] It is noteworthy that the question 'What statements of the form $\forall x(Gx \rightarrow Mx)$ qualify as genuine principles?' is equally pressing for the generalist, since no one thinks (and M&R do not claim) that principles like (GR), (SP), (K') and (TBF) are the kind of principles that will partake in a generalist account of morality. It should, therefore, seem surprising that statements like (SP) and (TBF) can refute particularism despite being entirely unhelpful in constructing a generalist account of morality.

principle-based approach is problematic is not enough. Understood as a negative thesis, then, particularism is essentially only a partial story.

But if particularism is not a negative thesis, if it is not the denial of (some form of) principle-based moral theories, then what is it?

1.3 What is a Research Program?

I propose to understand particularism as a *research program*. Research programs, according to Imre Lakatos, consist of theories and methodological rules that specify which paths of research to avoid (*negative heuristic*), and which paths to pursue (*positive heuristic*).[24] Research programs are individuated by their "hard core"—the set of commitments that cannot be abandoned without abandoning the research program altogether. Lakatos writes:

> All scientific research programmes may be characterized by their 'hard core'. The negative heuristic of the programme forbids us to direct the modus tollens at this 'hard core'. Instead we must use our ingenuity to articulate or even invent 'auxiliary hypotheses', which form a protective belt around this core, and we must redirect the modus tollens to these…[The] 'core' is 'irrefutable' by the methodological decision of [the proponents of a research program]: anomalies must lead to changes only in the 'protective' belt of auxiliary…hypotheses." (1970:48)

The following example should help us get a sense of what a research program is. In 1781 William Herschel discovered planet Uranus. By the early 1800's it became clear that the planet's observed location did not match the path predicted by Newton's laws. Despite the discrepancies between theory and observation, very few astronomers doubted the truth of the Newtonian theory. They believed that this anomaly could be resolved without relinquishing Newton's laws. Some astronomers, for example,

[24] See Lakatos (1970).

suggested that observations that were incompatible with the predicted path should be discarded. Others—most notably, Le Verrier—suggested that the discrepancy in Uranus' motion was due to the existence of an unknown planet, and that once the gravitational force on Uranus due to this planet is taken into account, Uranus' motion will comply with Newton's inverse-square law. We can say that these astronomers were pursuing a Newtonian research program. The hard core of the program—the set of protected commitments, as it were—included Newton's laws, and the negative heuristic of the program forbade directing a *modus tollens* against this hard core.

Nevertheless, some astronomers were willing to question the accuracy of the Newtonian framework; they suggested that the discrepancies in Uranus' orbit lie with Newton's law of gravitation. These astronomers, we can say, were pursuing an alternative research program. The hard core of their research program included all available observations of Uranus, and perhaps the rule that one should not posit the existence of unseen entities. Proponents of this research program had to explain the motion of Uranus without Newton's law of gravitation. For example, some proposed that Newton's laws become different at a great distance from the sun.

In 1846 the planet Neptune was observed at the location predicted by Le Verrier. Le Verrier assumed that Newton's law of gravitation was true, and calculated an orbit of the yet-unknown planet that together with Newton's theory would account for the motion of Uranus. And indeed, when the gravitational pull of Neptune on Uranus was taken into consideration, Uranus's observed motion harmonized with its predicted orbit. The discovery of Neptune was a great triumph not only for the Newtonian research

program, but also for Le Verrier himself; he was deemed by his contemporaries as "a sage" and "a genius" for having "discovered a star with the tip of his pen."[25]

It is not surprising, then, that Le Verrier was a passionate devotee of to the Newtonian research program, and that upon considering the anomalous motion of The Planet Mercury in 1849 he proclaimed: "If the tables [of Mercury's position] do not strictly agree with the group of observations, we will never again be tempted into charging the law of universal gravitation with inadequacy."[26] In 1859 Le Verrier published his report on the anomalous motion of Mercury, and offered the hypothesis that the anomaly is due to a yet-unobserved mass orbiting between Mercury and the Sun.

Here, again, we can distinguish between those pursuing a Newtonian research program, and those who were willing to question the adequacy of Newton's laws. Proponents of the former research program began looking for the missing mass. Sure enough, various sightings of Vulcan—the intra-Mercurial planet—were reported, but all predictions of Vulcan's location based on these observations were disconfirmed. Nonetheless, Le Verrier's belief in the existence of an intra-Mercurial mass never wavered. In 1874 he wrote: "There is, without a doubt, in the neighborhood of Mercury, and between that planet and the Sun, matter hitherto unknown. Does it consist of one, or of several small planets, or of asteroids, or even cosmic dust? Theory alone cannot decide this point."[27]

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[25] See Baum and Sheehan (1997) esp. p. 118.
[26] Quoted from Baum and Sheehan (1997), p. 133.
[27] Quoted from Baum and Sheehan (1997) pp. 173-4.

In contrast, we can characterize a competing, non-Newtonian research program by its hard core—that the motion of Mercury can be explained without appeal to a yet-to-be-found intra-Mercurial mass. For example, in 1894 one astronomer suggested a modification to the law of gravitation in order to explain Mercury's motion; instead of inverse-square, he proposed that the exponent ought to be 2.00000016.[28]

The puzzle of the motion of Mercury was resolved in 1915, when Einstein showed that his General Theory of Relativity explains the observed motion of Mercury. Consequently, the Newtonian research program was abandoned.

1.4 Particularism as a Research Program

Surely there are numerous dissimilarities between science and moral philosophy (methods, goals, language, etc.) Nevertheless, there is at least one thing they have in common. Moral philosophy, like science, is in the business of *explaining* certain features of the world.

Suppose we observe that actions A1,A2…A*n* are morally right.[29] We may want to explain these observations. We may ask, for example, (Q1) What is it that makes these actions morally right? We can think of various ways of approaching this question—or alternative research programs. According to one research program—*generalism*—a satisfactory answer to (Q1) must be in the form of an exceptionless principle that identifies features that A1,A2…A*n* have in common. The generalist research program appeals to a familiar notion of *explanation*—explanation as

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[28] See Hall (1894).

[29] I do not intend to commit to any particular account of moral epistemology or any specific theory about the nature of moral properties when I say that we *observe* that A1…An are morally right. One could replace this "observation statement" with whatever one thinks is the source of the relevant data for moral theorizing.

subsumption under exceptionless principles. So one advantage of the generalist research program is that *if* we find an exceptionless principle that gives the right verdict about A1,A2…A*n* we will thereby have a satisfactory answer to (Q1).[30]

According to an alternative research program—*particularism*—we can answer (Q1) without presupposing that there are exceptionless principles that will give the right verdict about A1,A2…A*n*. Proponents of this research program do not search for features that all and only these actions have in common. Instead, they try to come up with an explanation of the rightness of each of these actions without appealing to exceptionless principles. Proponents of this research program can point out that in some

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[30] Both monists and pluralists are generalists because they both believe that an explanation of the rightness of an action is inadequate unless it is grounded in an exceptionless moral principle. Nevertheless, monists and pluralists disagree about the number of intrinsically morally relevant properties (henceforth IMR-properties). Let us say that a property, P, is intrinsically morally relevant if and only if P is morally relevant for its own sake, or non-derivatively morally relevant. A property is extrinsically morally relevant if and only if it is non-intrinsically morally relevant; that is, if it is only derivatively morally relevant, or morally relevant only in virtue of its relation to some IMR-property. Monists claim that there is only one IMR-property—call it P—and that every action that exemplifies P is morally right. Pluralists maintain that there are several IMR-properties—call these properties P1…Pn—and that for each IMR-property, Pi, there will be a presumptive, or pro tanto, principle: for any action, A, if A exemplifies Pi then A is presumptively morally right (or wrong). See, for example, Ross (1930) Ch. 2, and Schafer-Landau (1997). For instance, consider the following version of act-utilitarianism: (AU) An act, A, is morally right if and only if A maximizes utility. (AU) is a monist theory. According to (AU) there is only one IMR-property—namely, utility-maximization. If an action exemplifies this property, it is morally right; otherwise, it is morally wrong. Justice, for instance, can only be extrinsically morally relevant according to (AU); if justice is morally relevant, it is only in virtue of its relation to utility-maximization. Pluralists, in contrast, hold that there are several morally relevant properties. So pluralists may claim that being just, being truthful, and being beneficent are all IMR-properties. Nevertheless, pluralists are generalists because they think that in order to explain the rightness of A, it is not enough to recognize that A exemplifies beneficence, and that beneficence is right-making here; pluralists believe that we must identify an exceptionless principle that states that for any action, if it exemplifies beneficence, then it is presumptively morally right.

areas of inquiry we are used to, and comfortable with, explanations that do not appeal to exceptionless principles. For example, when we explain the aesthetic status of an artwork we do so without mentioning exceptionless aesthetic principles.[31] Similarly, explanations in the special sciences—e.g., psychology, economics, and history—seem to conform to a different model of explanation than the model of subsumption under exceptionless principle.[32]

The particularism-generalism debate, I propose, is best understood as a debate over which research program we ought to pursue. Generalism is a research program characterized by the core hypothesis that in order to explain morality, and especially the rightness and wrongness of actions, we must appeal to exceptionless moral principles. Utilitarians and Kantians, for example, are generalists; despite their disagreement about the content of the correct moral theory, they both strive to identify exceptionless moral principles in order to explain the moral status of actions. Particularism, in contrast, is an alternative research program characterized by the core hypothesis that morality—including the rightness and wrongness of actions—can be explained without appealing to exceptionless principles.

We are now in a position to see why particularists need not argue that all moral principles are objectionable, or why premise (4) of the (PG) argument is false. Strictly speaking, research programs are not *true* or *false*. Research programs consist of theories

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[31] For example, one cannot fail to mention symmetry as a relevant feature to the aesthetic merits of the Taj Mahal. Yet, it seems absurd to think that symmetry is always aesthetically relevant; the contribution of symmetry to the overall aesthetic status of an object can change its polarity – it may contribute positively, negatively, or make no contribution at all. See Little (2000), and Dancy (2004) p. 76.

[32] For instance, economists may appeal to the law of supply and demand in order to explain the change in price of certain products, even though this law is not exceptionless.

and methodological rules. Theories may be true or false, but methodological rules require a different mode of evaluation. Lakatos suggests that instead of truth and falsehood we should evaluate research programs for their success. In order to explain what makes for a successful research program, Lakatos introduces the following terminology:

> Let us say that…a series of theories is theoretically progressive (or 'constitutes a theoretically progressive problemshift') if each new theory has some excess empirical content over its predecessor…Let us say that a theoretically progressive series of theories is also empirically progressive (or 'constitutes an empirically progressive problemshift') if some of this excess empirical content is also corroborated…Finally, let us call a problemshift progressive if it is both theoretically and empirically progressive, and degenerating if it is not. (33-4)

With the notions of *progressive problemshift* and *degenerating problemshift*, Lakatos states the criterion for success of research programs as follows: "A research programme is successful if [it] leads to a progressive problemshift; unsuccessful if it leads to a degenerating problemshift." (48)

Clearly, some modifications are required in order to import these definitions to our discussion in moral philosophy.[33] The key point, though, should be clear enough: a research program provides a strategy for modifying theories in the face of anomalies; if by employing this strategy we generate better theories—that is, theories with greater explanatory power—then the research program is successful. So perhaps instead of premise (4) we should consider the following premise:

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[33] It should be interesting to work out whether, and if so, how Lakatos's terminology can be "translated" into terms that are appropriate for moral philosophy. For example, it would be interesting to figure out what (if anything) in the moral realm corresponds to "excess empirical content" and how (or whether) this "empirical content" can be "corroborated." However, I will not pursue this route here.

(4') If there are any exceptionless moral principles, then particularism is unsuccessful.

But premise (4') is clearly false. Even if there were exceptionless moral principles, it would not *entail* that the particularist research program is unsuccessful, since it is surely possible that several research programs would lead to progressive problemshifts. Even if there were no counterexamples to the principle of utility, for instance, it would not follow that the particularist research program is unsuccessful.

Perhaps the availability of exceptionless moral principles undermines the *motivation* to pursue the particularist research program. The thought is that if we had a satisfactory principle-based account of morality, then there might well be no reason to pursue the particularist research program, since there would be no need for alternative explanations. This seems right to me. Yet, not *any* exceptionless principle would undermine the motivation to pursue the particularist research program, but only an exceptionless moral principle that provides an *adequate account of morality*. So, I think that the following premise is true:

(4'') If there are exceptionless moral principles that provide an adequate account of morality, then particularism is unmotivated.

But principles like (K'), (GR), (SP) or (TBF) clearly do not provide an adequate account of morality. Indeed, no one has ever claimed that they do.

I take this to show that the standard debate concerning the availability of *any* exceptionless moral principles is misguided. For example, Sinnott-Armstrong (1999) claims that generalists have the dialectical upper hand in the particularism-generalism debate. He writes:

> Consider the dialectical situation: A generalist holds a theory with a long list of defeaters shaped into groups. A particularist comes up and claims, "This example shows you need another item on your list." A generalist can always respond, "No, it doesn't. Your moral judgment about the example is incorrect." Alternatively, a generalist can respond, "OK, I'll add another item to my list." A particularist can then come up with more examples, but a generalist again has these two possible responses—and so on…[it seems possible] in principle for generalists to keep adding qualifications and defeaters until no more are needed. (7-8)

Generalists, according to Sinnott-Armstrong, can always accommodate counterexamples offered by particularists by adding these counterexamples to the list of defeaters to a proposed principle. Eventually, one might hope, the particularist will run out of counterexamples, and so the generalist should be able to formulate the following exceptionless principle:

(AH) $\forall x[(Gx \,\&\, \neg C_1 x \,\&\, \neg C_2 x \ldots \,\&\, \neg C_n x) \rightarrow Mx]$

[x ranges over actions, G is a non-moral property, M is a moral property, and C1…C*n* are the known defeaters to the principle $\forall x(Gx \rightarrow Mx)$]

But even if (AH) is exceptionless—that is, if it were possible to list *all* defeaters[34]—it is hardly an *explanatory* principle, since it is manifestly *ad-hoc*. And since (AH), like (K'), (GR), (SP), and (TBF) plays no role in a generalist account of morality, the question of whether (AH) is exceptionless is tangential to the debate over particularism.

To the best of my knowledge, no one has yet presented an argument against particularism based on the availability of exceptionless *explanatory* principles. I suspect that the reason no such argument has been offered is that all exceptionless explanatory

[34] See Robinson (2006) for some worries concerning the possibility of listing all defeaters (esp. pp. 349-50).

principles that have been formulated thus far are, at best, controversial and as a result they have no dialectical force in the context of the particularism-generalism debate. Consider, for example, the following argument:

6. If there are exceptionless moral principles that provide an adequate account of morality, then particularism is unmotivated.
7. The principle of utility is an exceptionless moral principle that provides an adequate account of morality.
8. Therefore, particularism is unmotivated.

In order to defend this argument one would have to argue for the claim that the principle of utility provides an adequate account of morality. And likewise, if one replaces the principle of utility in line (7) with any other comprehensive moral theory—e.g., Kantianism, Rule Utilitarianism or Rossianism[35]—one would have to defend that particular theory in order to demonstrate that particularism is unmotivated. But debates over the adequacy of such theories have occupied center stage in moral philosophy for many years, and the prospects for a conclusive argument for the adequacy of any one of these comprehensive moral theories, at least at present, look grim.

It is not surprising, then, that opponents of particularism have tried to argue against particularism without arguing for the truth of any specific principle-based moral theory. For example, M&R describe the project of their book as follows: "This book is a defense of moral principles, yet it is not a defense of any specific moral principle. Although we are as interested as anyone in determining the specific content of morality, we here address the prior question of whether morality is principled at all." (3) M&R,

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[35] Ross (1930).

like all other opponents of particularism, try to undermine particularism *without* defending any specific comprehensive principle-based moral theory. But once we understand particularism as a research program, we can see that without defending a specific comprehensive principle-based account of morality, the prospects for a demonstrative argument against particularism are extremely bleak.

1.5 The *Positive Heuristic* of a Particularist Research Program

So far, I have claimed that my formulation is not vulnerable to the most common objections to particularism. Still, in order to motivate particularism it is not enough to show that the standard objections are ineffective; particularists must also indicate what a particularist account of morality could look like. That is, particularists must answer the following question: if one wants to pursue the particularist research program, what should one do? Or in other words, what is the positive heuristic of the particularist research program? The positive heuristic of the generalist research program is well known—try to formulate a principle that is not susceptible to counterexamples, and when faced with a counterexample, adjust the principle (in some acceptable way) so that it yields the correct verdict about the proposed counterexample. Can particularists recommend any comparable positive heuristic?

In this section I will outline two research paths particularists could pursue. These paths by no means exhaust the research possibilities open to particularist. Nevertheless, identifying these alternatives should suffice to demonstrate that particularism offers a positive heuristic and that there are promising research paths for particularists to explore.

Jonathan Dancy—the philosopher most associated with particularism—initially thought that holism in the theory of reasons simply entails particularism.[36] Accordingly, a large portion of his work on particularism has centered on developing and defending holism in the theory of reasons.[37] However, M&R have shown that holism is *compatible* with the existence of exceptionless moral principles.[38] They presented the following principle:

> (U) The fact that an action would promote pleasure is a reason to perform the action if and only if the pleasure is nonsadistic. The fact that an action would promote pain is a reason not to perform the action. An action is morally right just in case it promotes at least as great a balance of reason-giving pleasures over pain as any of the available alternatives; otherwise it is wrong.[39]

Recall that holism in the theory of reasons is the thesis that a feature that is a reason in one case may be no reason at all, or an opposite reason, in another case. Principle (U) is compatible with holism since it allows that a certain feature—namely, that an action would promote pleasure—is a reason in favor of performing an action in some situations (i.e., in situations in which the pleasure is nonsadistic), and it is no reason at all, or an opposite reason, in other situations (i.e., in situations in which the pleasure is sadistic). We should note that M&R do not argue that (U) is an exceptionless moral principle, but only that one could formulate principles that are compatible with holism, and that for all we know some such principle may be exceptionless.

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[36] For example, in his (2000), Dancy claimed that particularism is "merely one expression" of holism in the theory of reasons.
[37] See, for example, Dancy (1993), (2000), (2003), and (2004).
[38] See M&R (2005b) and (2006).
[39] See M&R (2006) p. 29.

As a result, Dancy now acknowledges that "one cannot argue from holism directly to the conclusion that moral principles are impossible." (2004:82) His current view is that if holism were true then "it would be a sort of cosmic accident if it were to turn out that a morality could be captured in a set of holistic contributory principles." (82)[40]

Recently, several philosophers have argued that holism provides no support for particularism. Joseph Raz (2006), for example, questions Dancy's 'cosmic accident' thesis. He argues that since "claims [about principles] are conceptual or perhaps metaphysical, if principles are possible and have a role then it would seem that there are principles. After all conceptual or metaphysical truths are not a domain in which accidents are possible." (117) Moreover, according to Raz, even if the 'cosmic accident' thesis were true, it would not help Dancy's case for particularism because "to succeed Dancy must show that principles are impossible; not even a universal accident can bring them about." (117) But since holism is compatible with the existence of exceptionless principles, Raz concludes that "Dancy's [holism] lends no support for particularism, because it cannot show (and Dancy himself does not claim) that true [exceptionless] principles are impossible." (117) Similarly, M&R (2006) reject Dancy's 'cosmic accident' thesis: "holism about reasons does nothing to support the thought that the finite and useful codification of morality would be metaphysically mysterious." (35) And since we have no reason to accept the 'cosmic accident' thesis, they conclude: "Holism about reasons provides no positive support for particularism. Holism neither

[40] For similar theses see Little (2000) and Stratton-Lake (2000) pp. 128-130.

implies that there are no [exceptionless] principles nor that any principles there might be would be 'cosmic accidents.'" (45)

Nevertheless, once we understand particularism as a research program, we can see that the question of whether holism is compatible with the existence of principles, or whether holism entails that the availability of exceptionless moral principles is extremely unlikely—that is, that given holism a principled morality would be a 'cosmic accident' or a "world historical chance"[41]—is *tangential* to the particularism-generalism debate. The relevant question, I claim, is whether holism contributes to a particularist account of morality.

To see this, consider again the case of The Planet Vulcan. Suppose that the theory of relativity is compatible with the existence of a mass orbiting between Mercury and The Sun. Suppose, further, that the theory of relativity doesn't entail that it is *unlikely* that some intra-Mercurial mass exists. Nonetheless, it would be odd to argue that since the theory of relativity doesn't imply that Vulcan does not exist, or doesn't entail that its existence is unlikely, it offers no support for the non-Newtonian research program. The theory of relativity provides a good explanation of the motion of Mercury without assuming that there is a yet-to-be-found intra-Mercurial mass. Therefore, the theory of relativity undermines the motivation to search for Vulcan, since it solves the puzzle that was the impetus for positing the existence of Vulcan in the first place.

Analogously, even though holism is compatible with the existence of exceptionless principles, and even if holism doesn't make the existence of such principles unlikely, it can provide support for the particularist research program. If

[41] Stratton-Lake (2000) p. 128.

holism makes possible a plausible non-principle-based account of morality, it undermines the motivation to search for exceptionless principles in much the same way that the theory of relativity undermines the motivation to search for Vulcan. So far, philosophers have failed to formulate exceptionless explanatory principles. It seems that the quest for such principles is motivated by the thought that such principles are necessary for an adequate account of morality. However, if an adequate non-principle-based account of morality were available, then we would no longer have reason to assume that such principles exist, and thereby we might no longer have reason to try to find and formulate exceptionless principles. Therefore, if holism in the theory of reasons contributes to the development of a successful particularist account of morality, then *pace* Raz and M&R, holism does provide positive support for the particularist research program regardless of whether it is compatible with the existence of exceptionless principles, and regardless of whether the 'cosmic accident' thesis is true.

I suspect that holism in the theory of reasons will play an important role in a particularist account of morality. Dancy's pioneering work on this topic is commendable. Nevertheless, holism is still in its early stages and the specifics of the theory need to be worked out in much more detail before we can determine whether a particularist account of morality based on holism in the theory of reasons is superior to its generalist competitors.[42] So a *positive heuristic* of the particularist research program is to develop and defend a comprehensive account of holism.

Another—perhaps complementary—path particularists could pursue is to develop a particularist-friendly virtue ethics. It is noteworthy that in the *Nicomachean*

[42] For a recent criticism of Dancy's holism, see Raz (2006).

Ethics, Aristotle makes no reference to exceptionless moral principles.[43] Since generalists insist that one *must* appeal to exceptionless moral principles in order to explain the rightness/wrongness of actions, there seem to be three interpretative strategies available to generalists who attempt to understand Aristotle's project in the *Nicomachean Ethics*: they can try to identify an exceptionless principle to attribute to Aristotle; or they can argue that Aristotle wasn't interested in explaining the normative status of actions; or alternatively, they can claim that Aristotle was just hopelessly confused and that his whole project was misguided.

To the best of my knowledge no one pursues the third option. However, the two former interpretative strategies can be easily identified in the work of some neo-Aristotelians and contemporary virtue ethicists. For example, some philosophers propose a virtue-based criterion of moral rightness of the following form:

> (VE) An act is right if and only if a fully virtuous agent would perform it in the circumstances.[44]

Others claim that Aristotle was not interested in solving moral quandaries or in identifying a criterion for the rightness/wrongness of actions; instead he was interested in providing a regimen for a good life or in questions concerning the nature of good moral character.[45]

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[43] Irwin (2000) claims that Aristotle asserts several exceptionless generalizations such as "one ought always to be willing to face great danger if some important cause is at stake, and one ought never to be willing to face it for some trivial reason." (111) However, I doubt that terms like "great danger", "important cause" and "trivial reason" can be cashed out without appealing to the judgment of the man of practical wisdom.
[44] See, for example, Oakley (1996), Hursthouse (1999), and Swanton (2001).
[45] See, for example, Pincoffs (1971) and Taylor (1988). One interesting examples of the second interpretative strategy is Irwin (2000) who claims that Aristotle did not try

With the particularist research program in mind, though, a new interpretative strategy becomes available: we can try to interpret Aristotle as offering a particularist account of morality—that is, we can interpret him as giving an explanation of the normative status of actions which is not based on the availability of exceptionless moral principles.[46] Indeed, several passages in the *Nicomachean Ethics* are as close to an explicit endorsement of the particularist research program as one may hope to find in a two-thousand-year-old text. For example, Aristotle writes:

> In a discussion of [what is noble, just or good] ...we must be satisfied to indicate the truth with a rough and general sketch: when the subject and the basis of a discussion consist of matters that hold good only as a general rule, but not always, the conclusions reached must be of the same order...For the well-schooled man is one who searches for that degree of precision in each kind of study which the nature of the subject at hand admits. (1094b19-26, Ostwald trans.)

> [A]ll law is universal but about some things it is not possible to make a universal statement which shall be correct. In those cases, then, in which it is necessary to speak universally, but not possible to do so correctly, the law takes the usual case, though it is not ignorant of the possibility of error. And it is nonetheless correct; for the error is not in the law nor in the legislator but in the nature of the thing, since the matter of practical affairs is of this kind from the start. (1137b12-21 Ross trans.)

So another *positive heuristic* of the particularist research program is to develop and defend a particularist reading of Aristotle, or to try to construct a neo-Aristotelian

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formulate exceptionless moral principles because he believed that ethical theory essentially has a practical aim, and formulating exceptionless principles—though possible—will not serve this aim. I classify Irwin with the second interpretative strategy because he attributes to Aristotle a goal other than explaining the rightness/wrongness of actions, and thus excuses Aristotle from the requirement to formulate exceptionless principles.

[46] Although several particularists find inspiration and support in Aristotle—e.g., McDowell (1979)—no one has yet offered a detailed particularist reading of Aristotle's ethics.

particularist-friendly virtue ethics, including, among other things, an account of moral education and moral development that is compatible with particularism.[47]

1.6 Objections and Replies

Objection: *Particularist explanations of morality are defective.* This objection can be spelled out in various ways. For example: (a) Particularist explanations can, at best, provide a *partial* explanation of morality but not a *full* explanation, because a full or a complete explanation must be grounded in an exceptionless moral principle. To pursue the particularist research program is simply to announce that we cannot provide an adequate answer to the question 'what makes some acts right and others wrong?' To endorse particularism, then, is simply to "admit defeat." (b) If there are any exceptionless moral principles, then these principles provide a *better* explanation of morality than any non-principle-based account. But if the best possible result of pursuing the particularist research program is not as good as the best possible result of pursuing the generalist research program—that is, if we know in advance that exceptionless principles provide the best explanation of morality—then why should we pursue the particularist research program in the first place? What's more, if we pursue the generalist research program and all explanatory principles we come up with turn out to have exceptions, we can simply accept whatever account we end up with as a particularist account of morality. So there is no reason to "admit defeat" right at the outset—i.e., there is no reason to pursue the particularist research program.[48]

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[47] For an account of moral development friendly to particularism see Dreyfus and Dreyfus (1990).

[48] [omitted for blind review].

Reply: The statement that an adequate explanation must be grounded in an exceptionless moral principle, or that an explanation that is grounded in an exceptionless principle is superior to an explanation that is not, is precisely the claim that particularists deny. As we have seen, the core of the particularist research program is the claim that morality, including the rightness and wrongness of actions, can be explained—that is, fully, or adequately, explained—without appealing to exceptionless principles. Opponents of particularism cannot simply cite their commitment to the generalist research program as an objection to particularism. In the context of the particularism-generalism debate, a generalist who simply asserts that we cannot fully explain morality without exceptionless moral principles is comparable to an advocate of the Newtonian research program who declares that we cannot explain the motion of Mercury without Newton's law of gravitation.

Perhaps the thought is that there are independent arguments for the conclusion that an adequate explanation must be grounded in an exceptionless principle. The proposal, perhaps, is that we can use results from the philosophical literature on the nature of explanation in order to settle the particularism-generalism debate. To explain a phenomenon, the objector might argue, is to subsume it under a general statement. John Ladd, for example, claims that an explanation "is an ordering of phenomena under general law…To the question "Why?," explanations answer by a subsumption under a general statement."[49] So if we are to explain anything in morality we must find exceptionless moral principles. Without exceptionless moral principles subsumption of

[49] See Ladd (1952) p. 499

a particular moral phenomenon under general statement is impossible, and consequently no moral explanation can be had.

Although the *covering law* model of explanation was—and still is—extremely influential in the literature on explanation, it is certainly not the only available theory of explanation. And several alternative theories of explanation are compatible with the particularist project. For example, *dispositionalism*—the view that dispositions, rather than laws are the fundamental units of explanation—is one possible alternative to the covering law model.[50] According to this view, we should understand the claim that 'lying is wrong', for example, as the claim that acts of lying have the *disposition* to be wrong; under "suitable" conditions acts of lying manifest this disposition, but they need not do so under *all* circumstances. On this view, then, explanations may appeal to generalizations, but these generalizations need not be exceptionless. And since particularists, as I argue in this paper, want to explain morality without appealing to exceptionless moral principles, they may appeal to some version of dispositionalism.

But since dispositionalism is a controversial thesis, it is worth pointing out that there are other avenues open to particularists. In the 40's, 50's, and 60's there has been a lively debate concerning the nature of historical explanation. Several philosophers were unsatisfied with the covering law approach to explanation in history as championed by Hempel. William Dray, for example, argued that the dominance of the covering law theory of explanation is an instance of what we may call 'physics chauvinism.' Even if the covering law model provides an accurate account of

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[50] See Robinson (2006). Note, however, that my understanding of the disagreement between particularists and generalists is very different from Robinson's.

explanation in physics, says Dray, it is unacceptable as an account of explanation in history:

> There is, in fact, some reason for thinking that what the covering law theory gives us is the criterion of a technical sense of 'explanation' found only in narrowly scientific discourse, perhaps only among certain philosophers of science…Hempel's formulation begins by laying down the logical structure of explanation as he believes he finds it in physics; he then goes on to show that historical cases approximate to this in varying degrees. There is no apology for the direction of the analysis from physics, where the logical outline is boldly displayed, to other fields, where traces of the model have to be found by dint of careful reconstruction…'Explanation', as covering law theorists use it, is a technical term…But if scientists, for their own legitimate purposes, redefine 'explain' so that it means roughly what covering law theorists say it does, then we are quite justified in advertising our awareness of what has been done by saying that, in fact, scientists do not seem to be much interested in explanation; they care only for 'explanation' (as technically defined). (1957:76-78)

Dray argues that many historical explanations as found in some history books are perfectly adequate. For Dray, then, the fact that most, if not all, historical explanations offered by historians fail to satisfy Hempel's account of explanation does not demonstrate that historical explanations are inadequate, or that historians typically present only explanation *sketches*, but rather it is an indication that Hempel's account is defective. Since we currently cannot formulate strict historical laws, and since some historical explanations are adequate, then it must be the case that at least some kind of explanation need not appeal to laws, or to exceptionless generalizations. Woodward (2002) reaches a similar conclusion by focusing on the special sciences. Woodward notes that explanations in the special sciences often appeal to *ceteris paribus* law statements. But since, according to Woodward, there are no *ceteris paribus* laws, we must conclude that explanation need not appeal to laws or to exceptionless generalizations.

Dray and Woodward propose radically different accounts of explanation that do not appeal to exceptionless generalizations offered by. Dray opts for a narrative account of explanation. "An historical explanation," he writes, "may thus amount to telling the story of what actually happened, and telling it in such a way that the various transitions…raise no eyebrows. The story is told in such a way that presumptions of the form, 'But surely that couldn't have happened!', are rebutted in advance. Answers to likely objections are built into the narrative, which may thus have explanatory force" (1954:27) Woodward, in contrast, asserts that "the core idea in explanation is that an explanans should cite variables or factors that make a difference for the explanandum…for this condition to be satisfied it is neither necessary nor sufficient that the explanans provide a nomically sufficient condition for the explanandum." (2002:320) It is beyond the scope of this paper to present and discuss the details of these proposals. Suffice it to say that these proposals represent alternative models of explanation that are not based on the availability of exceptionless generalizations and thus are friendly to particularism.[51]

The question whether an adequate explanation must terminate in an exceptionless principle is, at least at present, an open question. And since the literature on the nature of explanation does not provide us with a non-controversial account of explanation, we cannot appeal to results in the theory of explanation in order to resolve

[51] Several philosophers developed accounts of truth conditions for *ceteris paribus* generalizations (e.g., Fodor (1991) and Pietrosky & Rey (1995)) If, *pace* Woodward, there are *ceteris paribus* laws, then, again, we have available to us a model of explanation that is not based on the availability of exceptionless generalizations. Also, van Fraassen's pragmatic theory of explanation (van Fraassen (1980)) seems to be compatible with particularism. See, also, Scriven (1959). For a detailed discussion of various models of explanation that are friendly to particularism see my 'Explanation in Ethics' [MS].

the particularism/generalism controversy. Moreover, it is important to keep in mind that particularists and generalists are likely to disagree about the standards of adequacy for an account of morality. A comparison to the competing scientific research programs discussed above is instructive. For scientists pursuing the Newtonian research program an adequate explanation of the motion of Mercury requires that we show how the motion of Mercury can be deduced from Newton's laws (and a set of initial conditions). But for scientists pursuing the non-Newtonian research program an adequate explanation of the motion of Mercury need not mention Newton's laws at all. Similarly, I expect that generalists would think that in order to explain the normative status of an action we must subsume this action under an exceptionless moral principle. Particularists, in contrast, would endorse a different model of explanation. Consequently, given the current status of the debate regarding the nature of explanation, arguments against particularism based on appeal to a particular theory of explanation have no dialectical force.

Moreover, 'explanation' is a semantically flexible word, and as Dray points out there are surely contexts in which we give and receive adequate explanations that do not appeal to exceptionless generalizations. So even if opponents of particularism wish to draw on results from the theory of explanation, it would not suffice to show that there is some sense of 'explanation' that demands exceptionless moral principles; generalists will also have to argue that this is the only admissible sense of 'explanation' relevant to moral theorizing. We should note that if this could be established, then if, as I claim, we do not yet have exceptionless moral principles available to us, then it follows that we have never given nor received—and indeed, we have never even consciously grasped—

a full, or an adequate explanation of the rightness/wrongness of any action. And this seems like an implausible consequence for any account of morality.

I do not mean to suggest that a detailed particularist-friendly theory of explanation is currently available, even though Dancy and Lance & Little have made a few interesting advancements in this direction already.[52] Nevertheless, the lack of a full-fledged particularist theory of explanation does not favor the generalist research program since there are well known difficulties for the accounts of explanation generalists make use of.[53] Moreover, particularists can provide an explanation of morality without first developing an appropriate theory of explanation. If I am right in claiming that we can interpret Aristotle's *Ethics* as a particularist account of morality, then this is precisely what Aristotle does. Once a particularist account of morality is offered, we can evaluate its strength and weaknesses and compare it to competing principle-based explanations. We should keep in mind, though, that the standards of adequacy we ought to employ are not independent of the research program we are pursuing.

Finally, it is important to keep in mind that a particularist account of morality is not simply a failed generalist account. A generalist, who admits that the best explanatory principles she is able to come up with all have exceptions, has not thereby provided a particularist explanation of morality. A particularist account must explain,

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[52] See, for example, Dancy (2004) esp. pp. 45-49, and Lance & Little (2004) & (2007)

[53] Philosophers pursuing the generalist research program do not explicitly state which theory of explanation they endorse. However, the model of explanation they seem to employ is some version of Hempel's *covering law* model. For a discussion of some famous counterexamples to Hempel's model see Salmon (1989). For other difficulties in employing Hempel's model in moral explanations see my 'Explanation in Ethics' [MS].

among other things, why all attempts to come up with exceptionless principles have failed. Holism in the theory of reasons and the 'cosmic accident' thesis may prove to be useful for this task.

I suspect that some readers may still find the "admitting defeat" charge compelling. I believe that the reason it seems so compelling is that we have grown accustomed to thinking about the goal of moral theorizing in terms of identifying and formulating exceptionless principles. But if, as I suggest, Aristotle's *Nicomachean Ethics* can be read as a particularist-friendly account of morality, then we have a more direct way to debunk the "admitting defeat" charge. There are few, if any, moral theories that are more ambitious and more instructive than Aristotle's moral philosophy. Therefore, if we can sensibly count Aristotle as a particularist, we can show that far from admitting defeat, the particularist research program is a flourishing line of ethical inquiry with an unimpeachable pedigree.

Objection: *The very conception of particularism as a research program is incoherent.* If particularism is a research program, it should lead to the development of new theories. In order to evaluate those theories we need to be able to make sense of the notion of *explanatory power* of theories. For generalists the explanatory power of a specific theory is a function of the range of phenomena covered by the principles this theory advocates—the more phenomena these principles cover, the greater the explanatory power of the theory. But particularists cannot give any comparable informative account of what the explanatory power of a theory consists in. As a result

the formulation of particularism as a research program proposed in this paper is at best underdeveloped, and perhaps even incoherent.[54]

Reply: the notion of *explanatory power* of theories is a difficult concept to analyze, and there are obvious difficulties for the proposed account of the explanatory power of generalist theories presented above. For instance, compare the following version of act-utilitarianism: (AU) An act, *A*, is morally right if and only if *A* maximizes utility, and the principle (TBF) discussed about: (TBF) For any action, *A*, if *A* involves torturing babies for fun and no other reasons are present, then *A* is morally wrong. Intuitively, (AU) has more explanatory power than (TBF). But both principles range over all actual and possible actions, and to the extent they "cover" the same amount of phenomena. So perhaps the explanatory power of a generalist theory is not a function of the number phenomena it covers, but instead it is a function of the range of normative judgments it implies. While (TBF) implies only the normative status of actions that involve torturing babies for fun, (AU) implies the normative status of all actions. But barring obvious difficulties in specifying what the range of normative judgments a theory implies amounts to, we should note that a principle alone does not imply the normative status on any action. In order to deduce the normative status of a particular action from a principle, we must also recognize that this action satisfies the antecedent of the principle. Surely a principle according to which an act is morally right if and only if it is morally right does not explain the normative status of any action.

All this is to say that there is no simple account of the explanatory power of theories available to generalists. Nevertheless, even though we cannot provide a strict

[54] Thanks to an anonymous referee for pressing me on this issue.

analysis of this concept, I believe that we can apply it intelligibly. Moral theories provide us with certain theoretical machinery and explanatory standards, or paradigms, that we can employ in our attempts to explain moral phenomena. For example, consider a particular wrongful act of stealing. Can a generalist theory explain the wrongness of this action? Presumably, if the specific generalist theory under consideration identifies an exceptionless principle according to which any action that manifests a certain property is wrong, and one could justifiably claim that this particular act manifests this property, then this generalist theory could explain the normative status of this action based on the standards of explanation generalists typically endorse.

Can a particularist theory explain the wrongness of this action? Surely, the answer depends on the specific theory under consideration. But in this respect particularism is no different from generalism. However, different particularist theories may endorse different standards of explanation; some theories may require that we identify disposition, other theories may focus on exception-full principles that might be applicable to this case, and yet other theories may look for the right kind of story we can tell about the relevant action. Particularists reject a deductive model of explanation, but this does not mean that "anything goes," or that these theories do not impose any constraints on good explanation. We have no formula for determining the explanatory power of theories—this is true of particularist theories as well as generalist theories—but there is no reason to think that particularists cannot make sufficiently good sense of this notion based on the theory of explanation they end up endorsing.

Objection: *The defense of a particularist research program proposed in this paper defends too much.* Everything argued for in this paper in defense of a particularist

research program can be used, *mutatis mutandis*, to defend other research programs, including research programs that no one should take seriously. For example, consider the 'ch-ist' research program. *Ch-ism* is a research program characterized by the core hypothesis that morality, including the rightness and wrongness of actions, can be explained by using only sentences that start with the letters 'ch'. Since *ch-ism* is a research program, it is neither true nor false, and it should be evaluated for its success. Moreover, the motivation to pursue *ch-ism* cannot be undermined simply by citing one unobjectionable principle that does not start with the letters 'ch'; in order to undermine *ch-ism* one would have to present a non-'ch'-starting-principle-based moral theory that provides an adequate account of morality. But since no such theories are currently available, *ch-ism* remains unscathed. Moreover, *ch-ists* can offer the following positive heuristic: try to formulate explanations of morality that begin with the letters 'ch'. Obviously, no one should seriously consider pursuing the *ch-ist* research program. Yet the arguments put forward in this paper lead to the conclusion that *ch-ism* should be taken seriously. Therefore, there must be something wrong with the arguments presented in this paper—if they prove anything they prove too much.[55]

Reply: In defending a particularist research program I have not argued that the generalist research program should be abandoned. Indeed, I have presented no arguments against pursuing a generalist research program, or any other conceivable research program for that matter. The main goal of this paper is to fend off a familiar and prominent line of objections to particularism that purports to show that the particularist project is founded on a simple mistake—that particularist are committed to

[55] Thanks to Kelby Mason for pressing me on this issue.

a thesis which is demonstrably false and/or entirely unmotivated. I think that these objections fail for reasons discussed in the previous sections. Moreover, I think that these objections are equally ineffective as objections to *ch-ism;* the fact that we can formulate one or a few unobjectionable moral principles such as (SP) or (TBF) is clearly not the reason why we should not pursue *ch-ism.* The reason we shouldn't pursue *ch-ism* is that it is an uninteresting project and we have no reason to believe that it will produce any worthwhile results. The fact that the aforementioned objections fail to undermine *ch-ism* does not demonstrate that my defense of particularism defends too much, but instead it indicates that these objections are completely misguided.

Someone might, perhaps, think that particularism, like *ch-ism,* is uninteresting and that we have no reason to think that it will lead to any worthwhile results. However, to the best of my knowledge no one has yet argued that particularism is uninteresting, and it seems to me that the particularist research program has already generated worthwhile results—namely, holism in the theory of reasons; even those who reject holism admit that it is an interesting and worthwhile contribution to the study of the nature of reasons. Yet more, if it is reasonable to suspect that we can sensibly interpret Aristotle as offering a particularist account of morality, then we may have good reason to think that particularism will lead to further interesting and important philosophical results. Surely there are many important differences between particularism and *ch-ism* and it should be clear that particularists, like generalists, have the resources to explain why—unlike particularism and generalism—*ch-ism* is not worthy of pursuit.

Objection: *The main thesis of this chapter is just trivial.* This chapter defends the thesis that the particularist research program is worthy of pursuit—that is, that we

should try to develop an explanation of morality that is not based on the availability of yet-to-be-found exceptionless moral principles, and that it may turn out that a particularist account of morality will be superior to competing principle-based accounts. But why would anyone think otherwise? Why would anyone think that *any* explanation must be grounded in exceptionless principles? Clearly, in the soft sciences we explain phenomena without exceptionless principles. No one has ever claimed—or at least, no one should ever have claimed—that a full explanation of a historical event, for example, must be grounded in an exceptionless principle. Moreover, the objector might say, even in physics our explanations are not exception-free since our fundamental physical theories are notoriously inconsistent. So why spend all these words arguing for a trivial point?

Reply: When an objection to the effect that a thesis is trivially true is juxtaposed with an objection to the effect that this thesis is obviously false, one might think that the prefixes 'trivially' and 'obviously' cancel each other out—the thesis is either true of false, but it is probably neither *trivially* true nor *obviously* false. But perhaps those who are moved by the triviality objection think that the objection to the effect that the main thesis is obviously false need not have been mentioned at all. I am happy to endorse this part of the criticism. However, it should be clear that, at least since Kant, many outstanding philosophers have tried to find and formulate exceptionless moral principles, and many outstanding philosophers still do so today. So even if the point is trivial, I believe it is worth mentioning.

In fact, however, I do not think that this is a trivial matter. In this chapter I have only mentioned what I take to be the most prevalent objections to particularism. But

there are other worries that I have not discussed. For example, it has been claimed that a particularist account of morality entails one or more of the following undesirable consequences: (i) moral knowledge is impossible;[56] (ii) other people's (moral) behavior is entirely unpredictable;[57] (iii) moral disagreements cannot be resolved;[58] and (iv) moral education is impossible.[59] I will not try to respond to these worries here. Suffice it to say that even though I believe that these worries are not insurmountable, circumventing these problems is certainly not a trivial matter.

1.7 Conclusion

Moral philosophy in the past few hundred years has been dominated by generalism. Philosophers have assumed—without argument—that a successful explanation of morality must be grounded in exceptionless principles. Perhaps the commitment to generalism was influenced by the remarkable progress in the sciences spawned by the scientific revolution. Perhaps the thought was that a successful explanation of morality should be modeled on explanations in the sciences, and that moral philosophers should seek exceptionless moral principles that would play a similar explanatory role to the role played by laws of nature in the sciences. Yet despite the fact that many outstanding philosophers have spent their careers trying to find and formulate exceptionless explanatory moral principles, such principles have not yet been found.

It would be a mistake to argue from the persistent failure to formulate satisfactory principles, to their non-existence. After all, it was Le Verrier's unwavering

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[56] See Tännsjö (1995) and M&R (2006).
[57] See Hooker (2000).
[58] See Sinnott-Armstrong (1999).
[59] See Hooker (2000) and Hare (1952).

commitment to the Newtonian research program in the face of persistent failures that led to his celebrated discovery of The Planet Neptune. However, it was his unwavering commitment to the Newtonian research program that led him on a wild goose chase in search of The Planet Vulcan.

Despite the surge of interest in particularism in recent years, we must not forget that particularism is a budding research program—it promises an account of morality, but it has not yet delivered a full-fledged theory. At present, then, it would be rash to endorse particularism. However, we should also keep in mind that generalism is only a promise of a theory as well. A full-fledged generalist theory will consist of a principle, or a set of principles, that provides an adequate account of morality. At present, no such principle has been found. So it is equally rash to endorse generalism for the very same reasons it is rash to endorse particularism, and consequently, the claim that particularism is only a promise of a theory has no dialectical force in the context of the particularism-generalism debate.

Even though it may be rash to endorse particularism, it may well be rational to explore its strengths and weaknesses. As Laudan observes, one can *pursue* a research program without endorsing it. He writes:

> [There are] many historical cases where scientists have investigated and pursued theories or research traditions which were patently less acceptable, less worthy of belief, than their rivals. Indeed, the emergence of virtually every new research tradition occurs under just such circumstances…it would be…mistaken to refuse to pursue [a budding research program] if it has exhibited a capacity to solve some problems (empirical or conceptual) which its older, and generally more acceptable rivals have failed to solve. (1977:110-1)

We cannot yet determine whether the particularist research program will produce a better account of morality than competing principle-based theories. Nevertheless, the persistent failure to formulate exceptionless explanatory principles should motivate us to explore new routes and particularism shows enough promise to warrant further exploration. Particularism, I submit, is worthy of pursuit.

1.8 Appendix: Dancy's (2004) Formulation of Particularism

Jonathan Dancy is the philosopher most associated with particularism; the current interest in particularism is largely due to his extensive work on the topic. In his recent book, Ethic Without Principles (2004), Dancy offers a succinct statement of the particularist thesis. Given Dancy's singular contribution to the advancement of the particularist project in the past twenty years, and given that Dancy describes his recent book as "the culmination of twenty-five years' work" on this topic, his own recent formulation of the particularist thesis undoubtedly deserves special attention. Dancy's identifies particularism as follows: "*Particularism*: the possibility of moral thought and judgment does not depend on the provision of a suitable supply of moral principles." (7)

Several philosophers have recently examined Dancy's statement. Joseph Raz (2006), in his recent critique of Dancy's book, struggles with Dancy's formulation of particularism. He claims that this formulation is open to several interpretations, but only one of these interpretations, he thinks, can be properly attributed to Dancy, since the others appear to be empirical theses. So Raz proposes that the best literal interpretation of Dancy's particularism is the denial of the following claim: "*Conditions of thought generalism* (CTG): no one would be capable of having moral thought and judgments unless there were suitable moral principles." (114)

But the denial of CTG, Raz claims, is clearly false: "The problem is that it is a necessary truth that general moral thoughts are possible only if there are general moral propositions which express them, propositions being the content of a possible truth-apt thought. And it may be a necessary truth that all particular propositions have corresponding general propositions." (114-5). So, he concludes, we must interpret Dancy non-literally.

Perhaps, he suggests, particularism is the denial of the following claim: "JG: Justificatory generalism is the thesis that the justification of any moral view involves a true, or justified moral principle." (115) However, Raz thinks that we cannot properly interpret Dancy's particularism as the denial of JG. Raz cites the following passage from Dancy:

> [T]here can be forms of holism that do not go so far as particularism. That is, we can accept the context-sensitivity, the variability, of reasons, but still suppose that there are the sorts of general truths about how reasons behave that might be expressed by moral principles (Dancy (2004) pp. 7–8)

He then comments that "This [passage], in showing [Dancy] to believe that particularism denies that there are true or valid moral principles, shows that my interpretation of his definition [as the denial of JG] does not capture his intentions." (115) Having ruled out this interpretation of Dancy's particularism, Raz goes on to attributes to Dancy the following view "there are true moral propositions but no true moral principles" (115) and concludes that this view is untenable.

M&R also have difficulties with Dancy's formulation since it does not fit nicely into their proposed systematic taxonomy of particularist theses. They name Dancy's form of particularism *Anti-Transcendental Particularism* (henceforth *ATP*), and they

view it as one of several negative claims that particularists make about moral principles.[60] They interpret ATP as "a thesis about what is presupposed by our ability to make moral judgment successfully or correctly, where this includes the ability to have moral knowledge" (19) and they observe that "Anti-Transcendental Particularism seems ill-suited to provide the radical challenge to the possibility of moral theory particularists sometime envisage…[ATP] poses a challenge not to principled morality as such, but merely to transcendental arguments for it." (19-20)

The problems Raz and M&R encounter with interpreting Dancy's formulation indicate that Dancy's formulation is probably not as clear as we may have wanted it to be. Nevertheless, it seems to me that both of their proposed final interpretations are unacceptable. In the very first paragraph of his book Dancy writes: "A particularist conception [of morality] is one which sees little if any role for moral principles. Particularists think that moral judgment can get along perfectly well without any appeal to principles, indeed that there is no essential link between being a full moral agent and having principles." Dancy is not saying, *pace* Raz, that there are no true moral principles. Moreover, these two sentences indicate that Dancy's project, *pace* M&R, does pose a "radical challenge" to traditional moral philosophy since it undermines the foundational assumptions of some of the most widely discussed ethical theories—viz., Utilitarianism and Kantianism.

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[60] See M&R (2006) p. 14. Other "negative claims" include: *eliminativism*—that there are no true moral principles, *skepticism*—that there is no reason to think that there are any moral principles, *abstinence*—that we ought not rely on principles, and *principled particularism*—that any finite set of moral principles will be insufficient to capture all moral truths.

It seems to me that the best way to understand Dancy's book is to interpret his formulation of particularism as a statement of the particularist research program.[61] Understood as such, we can view his account of holism in the theory of reasons as fleshing out a schema for non-principle-based explanations of moral facts/judgments, rather than as an argument against the existence of moral principles. I do not mean to suggest that Dancy thought of his project in these terms, or that there are no textual difficulties for interpreting Dancy's project in the way I suggest here. Nevertheless, it seems to me that this interpretation allows for the most plausible, and perhaps also the most interesting, construal of Dancy's project.

[61] In personal correspondence, Dancy acknowledged that this interpretation is close to how he sees the matter.

CHAPTER 2

MORAL ADVICE AND MORAL THEORY

2.1 Introduction

Monists, pluralists, and particularists disagree about the structure of the best explanation of the rightness (wrongness) of actions. In this chapter I argue that the availability of good moral advice gives us reason to prefer particularist theories and pluralist theories to monist theories. First, I identify two distinct roles of moral theorizing—explaining the rightness (wrongness) of actions, and providing moral advice—and I explain how these two roles are related. Next, I explain what monists, pluralists, and particularists disagree about. Finally, I argue that particularists and pluralists are better situated than monists to explain why it is a good idea to think before we act, and that this gives us reason to favor particularism and pluralism over monism.

2.2 The Two Roles of Moral Theorizing

It is common to distinguish between two different roles of moral theorizing: a theoretical role and a practical role.[1] The theoretical role of moral theorizing is to provide an account of the rightness/wrongness of actions. Smith, for example, asserts that the theoretical role of moral principles is to "specify the characteristics in virtue of which acts possess their moral status."[2] Similarly, Bales states that one thing an ethical theory is supposed to do is "to provide an account of that characteristic, or perhaps that

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[1] This terminology is due to Smith (1988). Similar distinctions can be found, for example, in Bales (1971), Reed and Brown (1984), Railton (1984), Frazier (1994), Crisp (2000), and Väyrynen (2006).
[2] Smith (1988) p. 89.

very complex set of characteristics, which all and only right acts have by virtue of which they are right."[3,4] Let us say that a theory fulfils the theoretical role if it explains the rightness/wrongness of actions, or if it identifies the feature (or the set of features) that makes right acts right.

The practical role of moral theorizing is to guide judgment or action. Smith, for example, says that the practical role of moral principles is to serve as "a standard by reference to which a person can guide his or her *own* behavior: a standard to help the person choose which acts to perform and which not."[5] And Bales suggests that in addition to identifying a criterion of moral rightness, we may want moral theories to provide us with "a procedure which would help us single out, in the particular case *and under an immediately helpful description,* which alternative would in fact [be morally right]."[6] In order to fulfill the practical role, a theory must provide some advice regarding which action to perform.[7] General moral advice is a statement of the following form: *perform* action *A* if and/or only if ψ.[8]

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[3] Bales (1971) p. 260.

[4] Smith and Bales seem to think that in order to provide an account of the rightness/wrongness of actions, we must find and formulate exceptionless moral principles of the form: For any action, *A*, if *A* exemplifies property *P*, then *A* is morally right (wrong). However, we need not presuppose that the only way to explain the rightness/wrongness of actions is to identify exceptionless moral principles—there may be other ways to do so. See Chapter 1 and section 2.3 below.

[5] Smith (1988) pp. 89-90.

[6] Bales (1971) p. 261.

[7] For simplicity of exposition, I focus on guiding action alone, rather than guiding action or judgment. However, everything I say about guiding action applies, *mutatis mutandis*, to the guidance of judgment as well.

[8] In particular situations moral advice could take a simpler form: *perform* action *A* (without the 'if and/or only if ψ' clause). I will focus on moral advice that is meant to apply generally, and not only to an individual case. Nevertheless, we sometimes give/receive advice in different forms; e.g., 'think about the consequences', or 'if I were

The theoretical role and the practical role of moral theories are distinct. A theory can fulfill one of these roles without fulfilling the other. For example, many act-consequentialists believe that although act-consequentialism provides the best account of what makes right acts right, it offers no moral guidance.[9] Several non-consequentialists also endorse this distinction. C. D. Broad, for example, writes: "We can no more learn to act rightly by appealing to the ethical theory of right action than we can play golf well by appealing to the mathematical theory of the flight of the golf-ball."[10] In a similar vein, one can offer moral advice without committing oneself to any particular account of what makes right acts right; indeed, this is quite common in the applied ethics literature.[11] Simply put, then, the point is this: an explanation of what makes right acts right need not help us determine which act to perform, and a statement of moral advice need not explain what makes right acts right. Let us reserve the term *moral theory* for accounts that explain the rightness/wrongness of actions, and the term *moral advice* for accounts that purport to guide judgment or action.

In principle, we can supplement any moral theory with any moral advice. Consider, for example, the following version of act-utilitarianism:

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you, I would do *A*'. But strictly speaking these forms of advice do not help us decide which action to perform; they could be helpful if they are understood as shorthand for something like the following: 'think about the consequences, and perform the action that you believe would lead to the best possible consequences'; and 'Perform action *A* if you want to perform that action that I would have performed if I were you'. So even if moral advice does not explicitly take the form: *perform* action *A* if and/or only if ψ, we should be able to restate it in this form.

[9] See, for example, Bales (1971), and Feldman (2006).

[10] Broad (1930) p. 285. It is interesting to compare Broad's view to Aristotle's view. Aristotle motivates his project in the *Nicomachean Ethics* by suggesting that the study of ethics is likely to help us hit upon what is right (1094a18-25). For more on this, see Chapter Four.

[11] See, for example, Hébert (1996), and Strong (1988).

(AU) An act, *A*, is morally right if and only if *A* maximizes utility.

(AU) tells us that an act is right if and only if it exemplifies the property of utility maximization. We could supplement (AU) with the following advice: Perform action *A* if and only if *A* exemplifies the property of utility maximization. But we could, instead, supplement (AU) with different advice. For example: Perform action *A* only if you believe that your mother would not disapprove of it.

One could insist that the theoretical role and the practical role of moral theorizing are *not* distinct. Consider (AU) again. One could claim that (AU) both explains what makes right acts right and tells us which action to perform; to say that an act is morally right is simply to say that it is permissible to perform that act. So (AU) can be stated as follows:

(AU') It is permissible to perform act *A* if and only if *A* maximizes utility.

We can restate (AU') in the imperative mood as follows:

(AU'') Perform action *A* if and only if *A* maximizes utility.

But (AU'') is a statement of moral advice. So a criterion of moral rightness does tell us which action to perform, and as a result, the objection goes, there is no distinction to be made between moral theory and moral advice.

(AU'') satisfies the one constraint on moral advice that we have discussed so far—that is, it has the proper form for moral advice (perform action *A* if and/or only if ψ). But surely there is more to *good* moral advice than having this form. I propose the following two additional constraints on good moral advice:

1. Good moral advice is advice that agents *can* use. Let us say that agents *can* use moral advice *S* just in case the condition ψ mentioned in *S* is specified under a

helpful description. Roughly speaking, a description of ψ is *helpful* if (normal) agents can usually tell whether this condition (as described) is satisfied. This requirement on good moral advice is an epistemic requirement—if we usually cannot determine whether ψ is satisfied, then *S* is not good moral advice. One reason to think that the theoretical and the practical roles of moral theorizing are distinct, then, is that the metaphysics of morality need not be constrained by epistemic requirements. In other words, a criterion of moral rightness could be true even if we usually cannot tell whether any action exemplifies the property this criterion identifies as the right making property. So, for example, even if we cannot use (AU''), the fact that we cannot use (AU'') does not give us reason to believe that (AU) is false.[12] And consequently, if we believe that (AU) is true, but also that we cannot use (AU''), we must find alternative moral advice in order to satisfy the practical role of moral theorizing.

2. Good moral advice is advice that agents *should* follow. Let us say that an agent *should* follow *S*, if she is more likely to do the right thing if she follows *S* than if she fails to follow *S*.[13] It is important to note that it does not follow from the fact that an agent is more likely to choose a morally right action if she follows *S* than

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[12] This is the main point of Bales's paper (1971). He writes: "The...argument[s] I am challenging may be telling critiques of the decision-making procedure most frequently associated with act-utilitarianism, *as* a decision-making procedure *for* act-utilitarianism, but I cannot see that they are even relevant to the question of whether act-utilitarianism, as it is usually formulated, is true. For certainly it could be the case *both* that all and only right acts are those which contribute no less than would any alternative towards intrinsically good states of affairs, *and* that the procedure of estimating and comparing the probable consequences of alternative acts is an impracticable or self-defeating procedure for singling out, under immediately helpful descriptions, right acts so characterized." (263)

[13] The 'should' here is the prudential should; if one wants to act rightly, then one has reason to use good moral advice.

if she fails to follow *S*, that all, or even most, agents who follow *S* would agree about which action is morally right in any particular situation. Indeed, it does not even imply that those agents who follow *S* are more likely to chose a morally right action rather than a morally wrong action. The best way to understand this claim is as follows: Consider a large number of agents, each of which is required to make a moral decision. Divide these agents into two groups. All agents in one group—*Group A*—follow *S*, while all agents in the other group—*Group B*—fail to follow *S*. Let us say that the rightness-to-wrongness ratio of each group is the number of morally right acts chosen by members of the group divided by the number of morally wrong acts chosen by members of that group. We should understand the claim that agents are more likely to choose a morally right action if they follow *S* than if they fail to follow *S* as follows: it is likely that the rightness-to-wrongness ratio of *Group A* is greater than the rightness-to-wrongness ratio of *Group B*. Surely there are many possible ways to fail to follow S, and the rightness-to-wrongness ratio of *Group B* will depend on the procedure the members of this group adopt. If there is a *known* procedure, *T*, which is distinct from *S*[14] such that if agents in *Group B* were to follow *T* the

[14] Advice *T* is *distinct* from advice *S* just in case agents who follow *T* do not, *ipso facto*, also follow *S*. For example, if advice *S* is perform action *A* only if ψ, and advice *T* is perform action *A* only if [ψ and ω] then agents who follow *T* also follow S. In other words, since *T* is a precisification of *S*, agents who follow *T* do not fail to follow *S*. This means that it is possible that agents *should* follow *S* even if we know that there is some other moral advice, *O*, that yields a greater rightness-to-wrongness ratio, as long as agents who follow *O*, *ipso facto*, also follow *S*.

rightness-to-wrongness ratio of *Group B* would be greater than the rightness-to-wrongness ratio of *Group A*, then agents should follow *T* rather than *S*.[15]

To illustrate these constraints on good moral advice, consider the following advice:

(MA1) Perform action *A* if and only if *A* is morally right.

Surely an agent is more likely to do the right thing if she follows this advice than if she fails to follow it. However, the condition *ψ* is not specified under a helpful description—we often do not know whether an action satisfies the description 'is morally right'. So although agents *should* follow (MA1), they *cannot* use it.

Now consider this advice:

(MA2) Perform action *A* only if you believe that *A* will bring you pleasure in the immediate future.

Here the condition *ψ* is specified under a helpful description—we can usually tell whether we believe that an action would bring us pleasure in the immediate future—but it is not true that an agent is more likely to do the right thing if she follows this advice than if she fails to do so. (MA2), like (MA1), is not *good* moral advice. Even though agents *can* use (MA2), it is not the case that they *should* use it.

Much more needs to be said about these constraints on good moral advice. For instance, we must explain what it is for an agent to *use* moral advice.[16] We must also specify more accurately which descriptions of *ψ* are *helpful* descriptions. However, for

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[15] Thanks to an anonymous referee for pressing me on this issue.

[16] Smith (1988) suggests the following: "an agent uses a principle as a guide for making a decision just in case the agent chooses an act out of a desire to conform to the principle, and a belief that the act does conform." (91) She goes on to make several qualifications to this statement on p. 92, and p. 105 n. 18.

the purpose of this chapter our intuitive grasp of what it is to use advice, and which descriptions are helpful descriptions, will do. Instead, I want to focus on a certain constraint that good moral advice imposes on moral theories, a constraint that has been largely overlooked: If *S* is good moral advice, our moral theory should be able to explain this fact. That is, our moral theory must explain how it is that agents who follow *S* are more likely to choose a morally right action than those who fail to follow *S*.

Recall that moral advice *S* is a statement of the following form: perform action *A* if and/or only if ψ. Recall, also, that to say that agents should use *S* is to say that agents who follow *S* are more likely to do a right action than agents who fail to follow *S*. This means that an agent is more likely to perform a right action if she is sensitive to whether condition ψ is satisfied than if she is not so sensitive. So in order to explain the fact that *S* is good moral advice, we have to explain how being sensitive to the features mentioned in condition ψ can help agents to identify morally right actions. But in order for ψ to help agents to identify morally right actions, ψ must somehow track morally relevant features of actions—otherwise it would be utterly mysterious how using *S* could possibly increase an agent's likelihood of performing a right action.

Consider, for example, the following moral theory:

(TT) An act, *A*, is morally right if and only if φ.

Presumably φ explain what makes right acts right—φ is the feature in virtue of which right acts are right. Now, if the condition ψ mentioned in *S* is completely unrelated to the condition φ mentioned in (TT), then the fact that sensitivity to whether ψ is satisfied increases one's likelihood of doing a right action is inexplicable. So although the theoretical role and the practical role of moral theorizing are distinct, they

are related in (at least) the following way: there should be some explanation for the fact that sensitivity to the factors mentioned in ψ helps agents to track features that our moral theory identifies as morally relevant.

2.3 Monism, Pluralism, and Particularism

The particularism-generalism debate, as I understand it, is a debate about the structure of the best explanation of morality.[17] Generalists believe that in order to explain the fact that an act, *A*, is morally right, we must identify some property, *P*, that *A* exemplifies, and an exceptionless principle according to which any action that exemplifies *P* is morally right. Particularists, on the other hand, claim that we can explain the rightness of *A* without appealing to an exceptionless principle. That is, the best explanation of the fact that *A* is morally right is that *A* exemplifies a property, *P*, and that in this particular case *P* is right-making.[18]

Monists and pluralists are generalists because they believe that an explanation of a normative status of an action is inadequate unless it is grounded in an exceptionless moral principle. However, monists and pluralists disagree about the number of *intrinsically morally relevant* properties (henceforth IMR-properties). Let us say that a property, *P*, is intrinsically morally relevant if and only if *P* is morally relevant for its own sake, or non-derivatively morally relevant. A property is *extrinsically morally relevant* if and only if it is non-intrinsically morally relevant; that is, if it is only

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[17] See Chapter 1.

[18] Particularist may be able to say more about why *P* is right-making in this case. See, for example, Lance and Little (2004) & (2007). Nevertheless, the key point is that particularists insist that an explanation of the rightness of an action need not be grounded in an exceptionless moral principle.

derivatively morally relevant, or morally relevant only in virtue of its relation to some IMR-property.

Monists claim that there is only one IMR-property—call it *P*—and that any action that exemplifies *P* is morally right. Pluralists maintain that there are several IMR-properties—call these properties *P1...Pn*—and that for each IMR-property, *Pi*, there will be a *presumptive*, or *pro tanto*, principle: for any action, *A*, if *A* exemplifies *Pi* then *A* is presumptively morally right (or wrong); or in other words, *Pi* is always right-making.[19] Pluralists are generalists because they think that in order to explain the rightness of *A*, it is not enough to recognize that *A* exemplifies *Pi*, and that *Pi* is right-making here; they think that we must identify an exceptionless principle that states that *Pi* is always right-making, or that any action that exemplifies *Pi* is *presumptively* morally right.

The particularism-generalism debate is a debate over whether we must find and formulate exceptionless moral principles in order to provide an adequate account of the rightness (wrongness) of actions. Generalists believe that an explanation is inadequate unless it is grounded in an exceptionless principle (either an absolute principle: *any* action that exemplifies *P* is morally right, or a contributory principle: *Pi* is *always* right-making); particularists disagree. However, even though monists and pluralists are generalists, they differs with respect to the number of IMR-properties they allow; monists insist that there is only one IMR-property, while pluralists, like particularists, believe that there is more than one.

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[19] See, for example, Ross (1930) Ch. 2, and Shafer-Landau (1997).

For example, consider (AU) again. (AU) is a monist theory. According to (AU) there is only one IMR-property—namely, utility-maximization. If an action exemplifies this property, it is morally right; otherwise, it is morally wrong. Justice, for instance, can only be extrinsically morally relevant according to (AU); if justice is morally relevant, it is only in virtue of its relation to utility-maximization. Pluralists, in contrast, hold that there are several morally relevant properties. So pluralists may claim that being just, being truthful, and being beneficent are all IMR-properties. Particularists, like pluralists, think that there are many IMR-properties, but unlike pluralists they hold that a property can be intrinsically morally relevant in some cases, but not in others. So, for example, particularists may claim that the fact that an act exemplifies justice is intrinsically morally relevant on some occasions, but only extrinsically morally relevant, or even morally irrelevant, on other occasions.[20]

2.4 The Argument from Good Moral Advice

In this section I present my argument for the conclusion that we have reason to prefer particularist theories and pluralist theories to monist theories. The starting point of my argument is the following moral advice:

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[20] One might think that if a property is morally relevant in virtue of its intrinsic nature and if the intrinsic nature of a property does not change from one case to another, then a property that is morally relevant in one case must be morally relevant in all cases. However, Jonathan Dancy—the philosopher most associated with particularism—argues that we should distinguish between favorers/disfavorers and enablers/disablers. According to Dancy, a feature that favors an action in one situation may be *disabled* (or it could fail to be *enabled*) in another situation. Nevertheless, the absence of a disabler (or the presence of an enabler) in the first situation is not a part of the feature that favors the action. For Dancy's account of holism in the theory of reasons see his (1993), (2000), (2003), and (2004).

(**RD**) Perform action *A* only if after reflecting on and deliberating about the normative status of *A*, you do not believe that *A* is morally wrong.[21]

I believe that (RD) is good moral advice; I will argue that there is strong intuitive support for the claim the agents *can* and *should* use (RD). Since my argument begins with the premise that (RD) is good moral advice, we can call this argument *The Argument from Good Moral Advice* [or GMA]:

1. (RD) is good moral advice.
2. In order to explain (1), we must explain how it could be that the factors that agents consider when they reflect on and deliberate about the normative status of an action are morally relevant features of that action (either intrinsically or extrinsically).
3. Monist theories cannot explain how it could be that that the factors that agents consider when they reflect on and deliberate about the normative status of an action are morally relevant features of that action.
4. Pluralist theories and particularist theories can explain how it could be that the factors that agents consider when they reflect on and deliberate about the normative status of an action are morally relevant features of that action.
5. Therefore, we have reason to prefer pluralist theories and particularist theories to monist theories.

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[21] (RD) is a very general form of moral advice, and it can be precisified in various different ways. For example Hébert's decision procedure in Hébert (1996) can be viewed as one possible precisification of (RD). Ross (1930) seems to endorse some version of (RD) as well: "we are more likely to do our duty if we reflect to the best of our ability on the *prima facie* rightness or wrongness of various possible acts in virtue of the characteristics we perceive them to have, than if we act without reflection. With this greater likelihood we must be content." (p. 32).

Our first order of business is to determine whether (RD) is, in fact, good moral advice. (RD) is meant to capture the moral advice that colloquially can be stated as follows: 'Think before you act', or, 'If you think it's wrong, don't do it'. Now surely this advice is not always good advice. For instance, if a speedy action is called for, one had better not stop and think before one acts. Furthermore, if one is completely ignorant about the situation one is facing, or if one is excessively insensitive or irrational, thinking before acting is unlikely to help one choose correctly. So we must qualify premise (1). First, we should restrict the claim that (RD) is good moral advice to situations in which one has time to deliberate before acting. Second, we should restrict this claim to a certain type of agents; (RD) is good moral advice *for* reasonably rational, sensitive, and well-informed agents (henceforth, RSI-agents). I will not attempt to provide a demarcating criterion for reasonably rational, sensitive, and well-informed agent. Suffice it to say that although the notion of RSI-agents is meant to exclude agents like those described above, it is supposed to include most ordinary mature individuals—people like you and me. Premise (1), then, should be stated as follows: (RD) is good moral advice for RSI-agents in situations in which an immediate action is not required. However, for simplicity of exposition I will omit these qualifications in what follows.

In order to ascertain whether (RD) is good moral advice we must determine whether agents *can* use (RD) and whether agents *should* use (RD). Let us address these questions in turn. In order to use (RD), one must be able to identify whether one believes, upon reflection and deliberation, that an action one is contemplating is morally wrong. I see no reason to think that under normal conditions RSI-agents cannot tell

whether they believe that a particular act is morally wrong. Therefore, I believe that agents can (usually) use (RD).

One might insist that there are occasions in which one cannot use (RD); indeed, one might think that (RD) is unusable precisely in those instances where moral advice is most needed.[22] Consider, for example, the following situation. Due to your outstanding moral reputation, the Supreme Court has ruled that it is up to you to decide whether a particular patient in a persistent vegetative state should be taken off the feeding tube and allowed to die. You study the case carefully, but you are unsure whether it is morally permissible to disconnect the feeding tube. You decide to consult your wisest friend. You describe the case to your friend and you ask her for guidance: "Do you have any advice for me?" you ask. "I do," she replies, "my advice to you is this: perform an action only if after reflecting on and deliberating about the normative status of that act, you do not believe it is morally wrong."

Your friend's advice is disappointing. Nevertheless, although it may well be appropriate to complain about the advice you received, I do not think that you *cannot* use it; surely you can reflect on the normative status of a possible course of action, and choose not to perform it if you believe it is morally wrong.[23]

But if you can use your friend's advice, then why is her advice disappointing? There is an important difference between general moral advice and particular moral advice. (RD) is appropriate as general moral advice, but it is quite unsatisfying as advice for a particular case. When you ask your friend for advice regarding a concrete

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[22] Thanks to Gwen Bradford for pressing me on this issue.

[23] You would be unable to follow (RD) if you believed that all the options available to you (including non-action) are morally wrong.

situation you are facing, it seems reasonable to expect your friend to help you struggle through considerations in favor and against various possible courses of action. In offering (RD) in response to your request for advice in the case described above, your friend violates certain conversational norms and/or certain norms of friendship (e.g., don't state the obvious; try to help your friends). This, I submit, is the reason why her advice is disappointing.

Let us, then, evaluate (RD) in a context in which general moral advice is appropriate. Consider, for instance, the following scenario: you have just been appointed general manager of a large hospital. You decide to gather your employees for a moral pep talk, and you deliver a passionate speech on the importance of morality in the hospital setting. You conclude your talk by offering the following moral advice: "Before you perform any action, stop and think about the act you are about to perform (unless it's an emergency) and if you think it is wrong, don't do it!" It seems to me that it would be very odd if one of your employees were to come up to you after your speech with the following complaint: "I'm sorry to say, boss, but I simply *can't* follow your advice." I conclude, then, that although in particular situations (RD) may be less than fully satisfactory, it is, nonetheless, advice that agents *can* follow. The question now is whether (RD) is advice that agents *should* follow.

To my mind, the claim that agents should follow (RD) is simply a platitude about morality; it is a piece of moral data that any account of morality must respect. Moreover, I believe that pretheoretically the intuition that it is a good idea to think before we act is overwhelming. However, since there is reason to be suspicious of philosophers' claims concerning "pretheoretical intuitions," and since it is doubtful that

anyone reading this paper has "pretheoretical intuitions", I will try, in what follows, to motivate the claim that agents should follow (RD).

Consider the following case: A 74-year-old man, following the death of his wife, has severe depression with thoughts of suicide and marked vegetative symptoms. He has accepted medications and counseling but remains emotionally unstable. His physician discovers that he may have prostate cancer.[24]

The physician has to decide what to do. Should she tell the patient about his condition? Should she wait until she has a definite prognosis or until the patient's mental condition improves? I will not try to answer these difficult questions here. Instead, I want to ask whether the physician should follow (RD). In order to answer this question we have to compare the physician's likelihood of choosing a morally right action if she follows (RD), to her likelihood of choosing a morally right action if she fails to follow (RD).

There are two kinds of ways for our physician to fail to follow (RD): (1) she could perform an act, *A*, without reflecting on and deliberating about the permissibility of *A*—for example, she could perform *A* because it is the first act she happened to think of; or (2) she could performs *A* even though after reflecting on and deliberating about the normative status of *A*, she comes to believes that *A* is morally wrong. I suspect that most readers would advise our physician to use (RD) rather than to choose an act without reflecting on its normative status, or to choose an act she believes is morally wrong. Moreover, I expect that many would advise the physician to use (RD) *because* they believe that by using (RD) our physician increases her likelihood of choosing a

[24] This case description is quoted from Hébert (1996) p.78 (case 4.7)

morally right action.[25] Indeed, if we do not believe that by using (RD) the physician increases her likelihood of choosing a morally right act, then in so far as we are interested in her doing the right thing, we need not ask the physician to reflect on the permissibility of her actions, or to act in accordance with her considered moral beliefs. I find this result extremely counterintuitive, and I take this to show that there is strong intuitive support for the claim that RSI-agents should use (RD).

But perhaps my conclusion is too hasty. One might grant my intuition that in the case described our physician should follow (RD), but deny that agents should *always*, or even *usually*, follow (RD). One could point out that there are situations in which reflection and deliberation *decrease* one's likelihood of choosing a morally right action. For example, consider Mark Twain's portrayal of Huckleberry Finn.[26] Huck helps his slave friend Jim to escape from his owner. Upon reflecting on his action, Huck believes that assisting Jim is morally wrong. Yet he cannot bring himself to turn Jim in, even though he believes that turning him in is the right thing to do. According to the story, then, had Huck followed (RD) he would have acted wrongly.

Another interesting example of a case in which an agent would have done better by not following (RD) is described in the story *Deutsches Requiem* by Jorge Luis Borges.[27] This story is a first-person account of the actions and thoughts of a fictional Nazi officer—Otto Dietrich zur Linde. In 1941, zur Linde was appointed subdirector of

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[25] There might be other reasons to recommend using (RD). One could argue that agents should follow (RD) not because (or not only because) it increases the likelihood of choosing correctly, but rather for reasons that have to do with moral responsibility, autonomy, or the manifestation of good moral character. However, I will not discuss these alternatives here.

[26] See Bennett (1974) and Arpaly (2003) for a discussion of this example, and for various other interesting cases.

[27] Reprinted in Borges (1998) pp. 229-234

the Tarnowitz concentration camp. "Carrying out the duties attendant on the position," he tells us,

> was not something I enjoyed, but I never sinned by omission. The coward proves himself among swords; the merciful man, the compassionate man, seeks to be tested by jails and others' pain. Nazism is intrinsically a *moral* act, a stripping away of the old man, which is corrupt and depraved, in order to put on the new. In battle, amid the captains' outcries and the shouting, such transformation is common; it is not common in a crude dungeon, where insidious compassion tempts us with ancient acts of tenderness. I do not write that word "compassion" lightly; compassion on the part of the superior man is Zarathustra's ultimate sin.

Zur Linde, as we learn from the story, reflected on and deliberated about his actions. He believed that succumbing to compassion is immoral, and he made a special effort not to perform acts that he believed were wrong.[28] "I myself (I confess)," he writes, "almost committed [the sin of compassion] when the famous poet David Jerusalem was sent to us from Breslau." Zur Linde admired Jerusalem's poetry, and he made a special effort not to give in to compassion in his dealings with Jerusalem. "I was severe with him; I let neither compassion nor his fame make me soft." Zur Linde tortured Jerusalem until eventually Jerusalem succeeded in killing himself. According to the story, then, zur Linde followed (RD) meticulously, and *as a result* he performed heinous acts.[29]

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[28] Bennett (1974) describes Heinrich Himmler—leader of the S.S.—as one whose commitment to 'bad morality' conflicted with his own feeling of sympathy. I do not know whether Borges had Himmler in mind when he wrote *Deutsches Requiem*.

[29] Dostoyevsky's Raskolnikov is another example of this sort that comes to mind. Raskolnikov believed that it was not wrong for him to kill the old lady. And indeed, Borges has zur Linde mention Raskolnikov as a moral exemplar.

These examples illustrate that there are situations in which agents are less likely to do the right thing if they follow (RD) than if they fail to follow (RD). Does this prove that (RD) is not good moral advice?

The claim that (RD) is good moral advice is certainly not a conceptual truth or otherwise necessary truth. We can easily imagine worlds (maybe demon-worlds) in which (RD) is bad advice. Moreover, the claim that (RD) is good moral advice does not entail that on each and every occasion one would do better by following (RD). This claim is best understood as a strategic claim; the rightness-to-wrongness ratio of RSI-agents who follows (RD) is likely to be greater than that of agents who fail to follow (RD). Consider, by comparison, the following prudential advice: (LA) Don't buy a lottery ticket if the expected utility is negative. The claim that (LA) is good advice is not a necessary truth; we can easily imagine worlds in which it would be prudent to buy lottery tickets with negative expected utility. However, one could think that (LA) is good prudential advice (in our world) even though one is well aware that following (LA) may sometimes lead to worse outcomes than failing to follow it—as anyone who won a significant amount of money in a lottery would attest. If the number of lottery winners were substantially larger than it is, we might have had reason to suspect that (LA) is bad advice. But given the winner-to-loser ratio in standard negative-expected-utility lotteries, the fact that there are some winners does not undermine the claim that (LA) is good advice. Similarly, if there are relatively few cases in which one would do better by failing to follow (RD) rather than following it, then pointing out that there are a few such cases gives us no reason to believe that (RD) is not good moral advice.

Unfortunately, it is not as easy to determine how common cases like those of Huck Finn and zur Linde are, as it is to determine the expected utility and the winner-to-loser ratio in standard lotteries. It may seem tempting to argue that although Huck acted rightly by failing to follow (RD) in his dealings with Jim, his overall rightness-to-wrongness ratio is likely to have been greater had he consistently followed (RD) than had he failed to do so. But it is not quite so tempting to take this route with respect to zur Linde, whose atrocious actions seem to result from his unfaltering compliance with (RD). Alternatively, it may seem tempting to argue that zur Linde is not a reasonably rational, sensitive, and well informed agent, but it is not as tempting to argue that Huck is not a RSI-agent. Moreover, in order to deny that zur Linde is a RSI-agent, we will have to specify a criterion for RSI-agents—a task I am not prepared to undertake here. Instead, I wish to sidestep these complicated cases. All I need to establish for purposes of the GMA argument is that we can identify a sufficiently large group of people for whom (RD) is good moral advice. If we can identify such a group, we will have to explain the fact that (RD) is good moral advice for them. And if particularist theories and pluralist theories can explain this fact, while monist theories cannot, then we have reason to favor the former theories over the latter.

With this goal in mind, let us return to the case of our aforementioned physician. The physician, as described, is completely generic—I have not provided any peculiar information about her. I did not specify, for instance, whether she is a consequentialist or a Kantian. Indeed, I did not specify whether she is committed to any particular moral theory at all. We do not know how many years of experience she has, whether she is a theist, or what features she considers when she reflects on and deliberates about the

normative status of actions. Furthermore, the paucity of specific details about the case she is faced with suggests that there is very little one could appeal to in order to explain why (RD) would be good advice in this case but not in others. Consequently, if one grants the intuition that in the case described our physician should follow (RD), it is hard to see what grounds one could have for denying that this intuition is quite general. That is, unless one can identify something special about the particular features of the case I have described, it is hard to see how one could deny that many physicians should follow (RD) in many situations.

In contrast, we can identify a feature common to the Huck Finn case and the zur Linde case that explains why in both these cases (RD) was not good moral advice; in both these cases the agents are committed to a 'bad morality'.[30] Huck Finn believes, like many of his contemporaries, that slaves are the property of their owners, and that helping a slave escape is morally on a par with stealing another's property. Zur Linde believes that the Aryan race is a superior race, and that showing compassion towards people of other races is morally wrong. There are, no doubt, many people who are committed to 'bad moralities' of varying scopes; some 'bad moralities' govern a small set of people's actions while others might govern most actions. Nevertheless, unless one grants that some people are not committed to wide scope bad moralities, it is hard to see how one could avoid moral skepticism. It is common practice in moral theorizing to take (some set of) the moral intuitions of one's moral peers as the data that one's moral theory is supposed to explain. So it seems reasonable to expect that (RD) is good advice at least for some set of agents, in some set of situations. And as long as the relevant set

[30] I borrow the phrase 'bad morality' from Bennett (1974).

is large enough, then the fact that (RD) is good moral advice in these cases is a moral phenomenon that demands an explanation.

This concludes my defense of premise (1). I have argued, in Section 2.2, that if advice *S* is good moral advice, we should be able to explain how the factors mentioned in condition ψ help agents to track features that our moral theory identifies as morally relevant features of actions. So in order to explain the fact that (RD) is good moral advice, we must explain how it could be that the factors that agents consider when they reflect on and deliberate about the normative status of an action are morally relevant features of that action (either intrinsically or extrinsically).

The question now is this: can monist theories explain how it could be that the factors that agents consider when they reflect on and deliberate about the normative status of an action are morally relevant features of that action? Recall that according to monism, there is only one IMR-property. According to (AU), for example, the only IMR-property is the property of utility-maximization. So in order to explain the success of (RD), proponents of (AU) will have to explain how those factors that RSI-agents consider while reflecting on and deliberating about the permissibility of a particular act, reliably track the property of utility-maximization.

Consider, again, our physician from the abovementioned example. While reflecting on the normative status of a particular action, *A*, she may think of considerations like these: Will doing *A* violate my patient's autonomy? Will it harm my patient? Will it violate my duty to be truthful to my patient? Will doing *A* bring about bad consequences? Proponents of (AU) must explain how reflecting on factors like these could possibly increase the physician's likelihood of choosing the act that

maximizes utility. But how could they explain this? Surely there is no conceptual relation between these factors and utility-maximization; it is conceptually possible that doing *A* would maximize utility (or fail to do so) regardless of whether in doing *A* the physician violates her patient's autonomy, harms the patient, or violates her duty to be truthful to him, and regardless of her beliefs about the value of the consequences of doing *A*. Therefore, if these considerations were reliable indicators of whether an act exemplifies utility-maximization, it would have to be a contingent fact.

But can proponents of (AU) offer any reasons to believe that this contingent fact obtains? Mill seems to have thought that we can learn from experience that certain factors are reliable indicators of utility maximization.[31] But in order to be able to learn from experience that factor *F* is a reliable indicator of utility maximization, we must know whether those actions that exemplify *F* usually maximize utility. That is, we must know that most actions that exemplified *F* in the past in fact maximized utility. But there are reasons to think that (typically) we cannot know this.

One reason concerns our ignorance about the far-reaching causal ramifications of actions. Consider a particular actions, *A*, that exemplified feature *F*. In order to know that action *A* maximized utility, we must know that *A* had the *best possible outcomes* of all the actions available to the agent at the time she performed *A*. However, it is not clear how we could possibly know this if we do not know what many of the outcomes of *A* are. And if, as seems plausible, the causal ramifications of (most) actions are far reaching into the future, then we actually do no know what many of the outcomes of actions are.

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[31] See Mill's *Utilitarianism*, esp. Ch. 2

Another difficulty concerns the comparative nature of the property of utility maximization. As stated above, In order to know that action *A* maximized utility, we must know that *A* had the best possible outcomes of *all the actions available to the agent* at the time she performed *A*. This means that in order to know that action *A* was right, we must know that there had been no alternative action that would have had better consequences than *A*. However, in (almost) all circumstances, agents have numerous alternative actions available to them—arguably infinitely many—and it is not clear how we could know that *A* had the best consequences of all the actions available to the agent if we do not even know what all the other actions available to the agent were.[32]

To put these points together: in order to know that feature *F* is a reliable indicator of utility maximization, we must know that most actions that exemplified *F* were such that the value of *all* their consequences was greater than the value of *all* the consequences of *each and every one* of the actions the agent could have performed instead of the actions that exemplified *F*. Since it is unreasonable to think that we are typically in a position to know all these things, it is not clear what evidence proponents of (AU) could muster to support the claim that some features are reliable indicators of utility maximization.[33]

Moreover, even if inductive support of this sort were available, it might not be sufficient, since it is not enough to establish that in the past acts that exemplified the property of harm-avoidance, for instance, were typically the ones that exemplified

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[32] An agent could have perform many actions similar to the one she actually performed by changing the manner in which she performed her action, or the exact time in which she performed it. The number of actions available to an agent depends, of course, on how we individuate actions.

[33] See Lenman (2000) for reasons for thinking that we are never justified in believing of any action that it exemplifies utility-maximization

utility-maximization. To see this, consider the following analogy: Suppose that I watched about one half of the Red-Sox games over the course of one baseball season. Suppose, further, that it turns out that the Red-Sox's win/loss ratio is significantly greater for the games I watched, than it is for the games I did not watch. So over the course of this season the games that exemplified the property of being watched by me were typically the ones that exemplified the property of being won by the Red-Sox. But surely it would be rash to conclude that the Red-Sox are more likely to win their next game if I watch it rather than not watch it. In addition to inductive evidence of this sort, we need some account of how the relevant properties are related; that is, how the exemplification of one property could possibly increase the probability of the other one being exemplified. Overwhelming inductive evidence may give us reason to suspect that an account of this sort is forthcoming. But in the absence of such an account it may well be that the best explanation of the frequent co-instantiation of the two properties in the past is that an unlikely event occurred. For example, the best explanation of the frequent co-instantiation of the relevant properties in the Red-Sox example (given other things we know about the world) is that the co-instantiation of these properties is purely coincidental; after all, unlikely events can, and do, occur.

To the best of my knowledge, no one has yet offered any reason to think that, in fact, the factors that RSI-agents consider when they reflect on and deliberate about the normative status of actions are reliable indicators of the exemplification of the property of utility-maximization. Moreover, I doubt that we have any evidence, not to mention overwhelming evidence, for the co-instantiation of certain properties of actions that

RSI-agents typically consider and the property of utility maximization.[34] As a result, proponents of (AU) are poorly situated in order to explain how it could be that the factors that agents consider when they reflect on and deliberate about the normative status of an action are morally relevant features of that action

I believe this point generalizes beyond (AU) to many monist theories.[35] Recall that the intuition that our physician should use (RD) was elicited without specifying which features she considers in her deliberation about the permissibility of actions. So in order to explain how it could be that the factors that agents consider when they reflect on the normative status of an action are morally relevant features of that action, proponents of each monist theory would have to show that the plurality of factors that RSI-agents consider when they reflect on and deliberate about the normative status of

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[34] See Feldman (2006) for an explanation of why a move to *expected* utility will not help here.

[35] There may be some monist theories that can circumvent this problem. Consider, for example, the following monist interpretation of Ross's theory of *prima facie* rightness: (MPFR) An act, *A*, is morally right iff *A* maximizes *prima facie* rightness. According to this theory, there is only one IMR-property—namely, prima facie-rightness-maximization. Justice, beneficence, fidelity, and the other *prima facie* duties that Ross identifies are all extrinsically morally relevant; these properties are relevant in virtue of their relation to the property of *prima facie*-rightness-maximization. Nevertheless, this relation between justice, for example, and *prima facie*-rightness-maximization is, arguably, a conceptual relation. Monists of this variety (with various lists of *prima facie* duties) may be able to explain how it is that features that RSI-agents consider are (extrinsically) morally relevant. Somewhat similar interpretations of Ross's View can be found in Feldman (1978): "An act is morally right if and only if it is a *prima facie* duty and no alternative is a more stringent *prima facie* duty." (156), and Zimmerman (1996): "S has an overall obligation to do A iff S has a *prima facie* obligation to do A that overrides any *prima facie* obligation that S has not to do A." (172). In both these formulations it is not quite clear to me whether there is a *conceptual* relation between the right making property (i.e., being the most stringent *prima facie* duty, or being a *prima facie* duty that overrides all other *prima facie* duties) and considerations like justice, beneficence, etc., Since these formulations make use of technical terms, they are open to interpretation, so it is possible that these monistic interpretations of Ross also circumvent the problems for monist theories discussed in this paper.

an action, reliably indicate whether that act exemplifies a single property—whichever property that specific monist theory identifies as the only IMR-property. For example, consider the following two alternative (monist) versions of Kantianism:

(K1) An act, *A*, is morally right if and only if in performing *A* the agent of *A* treats no one as mere means.

(K2) An act, *A*, is morally right if and only if the agent of *A* can consistently will that the maxim she acts on be a universal law.

According to (K1), the only intrinsically morally relevant property of actions is the property of being such that in performing the action the agent of the act treats no one as mere means. According to (K2) the only intrinsically morally relevant property is the property of being such that the agent of the act can consistently will that the maxim she acts on be a universal law. Proponents of each of these theories must explain how considering features like the ones listed above (Will doing A violate my patient's autonomy? Will it harm my patient? Will it violate my duty to be truthful to my patient? Will doing A bring about bad consequences?) could possibly increase the physician's likelihood of choosing an action that exemplifies either one of these properties. I have no argument for the conclusion that such an explanation cannot be had, but only that it has not yet been given, and that it is not clear what this explanation might look like. And until this explanation is given, it seems to me that there is an explanatory burden that rests on the shoulders of monists that has not yet been met.

In contrast, particularists and pluralists need not claim that all the factors that RSI-agents consider when they reflect on the normative status of an action actually track a single property. Instead, they can claim that those factors that RSI-agents

consider are typically genuinely morally relevant features of actions. Of course, not all factors that RSI-agents consider are intrinsically morally relevant. For example, in deliberating about the normative status of an action, one may consider whether one would be prepared to make one's decision public.[36] Surely the fact that an action has the property of being such that the agent of the act is prepared to make it public is (typically) not an IMR-property. However, particularists and pluralists can explain why this property is (sometimes) extrinsically morally relevant; for example, they could say that considering whether one is prepared to make one's decision public helps one to adopt an impartial perspective, which, in turn, helps the agent to recognize whether an action exemplifies other properties that, in this particular case, are morally relevant (e.g., being just or being beneficent). And this would explain how it could be that the factors that agents consider when they reflect on and deliberate about the normative status of an action are morally relevant features of that action.

So far I have argued that particularists and pluralists can explain how it could be that factors that we consider when we reflect on and deliberate about the normative status of an action are morally relevant features of that action. The explanation is, in fact, quite simple: according to particularists and pluralists any property could be a morally relevant feature of an action, so surely the properties we consider in deliberating about the normative status of an action could be morally relevant features of that action. But in order to explain the fact that (RD) is good moral advice we need to do more than this; we must explain how it could be that the features that we typically consider are *in fact* morally relevant features of actions. Nevertheless, any theory that

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[36] See Hébert (1996)

cannot explain how it could be that the factors that agents consider when they reflect on and deliberate about the normative status of an action are morally relevant features of that action, will be unable to explain the fact that (RD) is good advice. So if I am right that particularists and pluralists can explain this fact while monists cannot, then, I believe, we have some reason to prefer particularism and pluralism to monism.

2.5 Conclusion

In conclusion, let me briefly summarize my argument. I maintain that there is strong intuitive support for the claim that (RD) is good moral advice. But if (RD) is good moral advice, we should be able to explain how it is that the plurality of factors that agents consider when they reflect on and deliberate about the normative status of an action are morally relevant features of that action. But since we have no reason to believe that the plurality of factors that RSI-agents consider while reflecting on the permissibility of an action track one single property, it seems that monist theories are poorly situated to meet this explanatory burden. In contrast, particularists and pluralists need only to show that each of the factors that RSI-agents consider in deliberating about the normative status of actions is, or tracks, one of many IMR-properties. Consequently, it seems that these theories are better situated to explain the fact that (RD) is good moral advice. This, I have argued, gives us a reason to prefer particularist theories and pluralist theories to monist theories.

CHAPTER 3

EXPLANATION IN ETHICS

3.1 Introduction

In Chapter One I argued that the debate between particularists and generalists is best understood as a debate over which research program we ought to pursue. Generalists, I claimed, are committed to a research program according to which we must find and formulate exceptionless moral principles in order to provide an adequate explanation of moral phenomena, whereas particularists are committed to an alternative research program according to which we can explain morality without appealing to exceptionless moral principles. So a key question concerning the particularism-generalism debate is whether an adequate explanation of morality is possible without an appeal to exceptionless moral principles. Surely, if the answer to this question is "No," then we have good reason to abandon the particularist research program. However, if the answer is "Yes," then given that exceptionless (explanatory) moral principles have not yet been found despite the remarkable efforts of some of the greatest philosophers in the past few centuries, we will have ample motivation to pursue the particularist research program.

The main question of this chapter, then, concerns the nature of explanation in ethics. Must moral explanations involve exceptionless moral principles? In order to answer this question I will examine several theories of explanation. I proceed as follows. In section 3.2 I discuss some reasons for thinking that moral explanation must be grounded in exceptionless moral principles, and I argue that a deductive approach to explanation is unmotivated. In section 3.3 I argue that we have good reasons for

thinking that not all explanations are deductive. In section 3.4 I discuss non-deductive models of explanation based on *ceteris paribus* laws. In section 3.5 I present a few non-deductive models of explanations that do not require laws at all. In section 3.6 I discuss the pragmatic nature of explanation, and I present van Fraassen's pragmatic theory of explanation. Finally, in section 3.7 I show that giving up on a deductive model of explanation not only undermines principle monism, but it gives us good reason to abandon pluralism as well.

3.2 Explanation and Exceptionless Generalizations

Moral theories are (among other things) in the business of explaining moral phenomena. Hence, one's views about moral explanation will greatly influence the kind of moral theories one in willing to countenance. The view that moral explanation must appeal to exceptionless moral principles was presupposed by many moral philosophers in the past few centuries—as evidenced by their persistent attempts to find and formulate such principles—but it was seldom explicitly argued for. The fact that this presupposition was accepted without argument does not mean that this presumption was unmotivated. In Chapter One I proposed that the remarkable progress in the sciences spawned by the scientific revolution might have motivated moral philosophers to search for exceptionless moral principles. The discovery and formulation of scientific laws, and most notably Newton's laws, has clearly led to astounding achievements in the sciences. So it was natural to expect that if we could find and formulate the "laws of morality," we could, perhaps, accomplish similar advances in ethics. Surely moral phenomena are complex and diverse, and it may not appear as though the moral landscape could be captured by a set of simple principles. But then again, prior to the

publication of Newton's *Principia* in 1687, the thought that three simple and elegant principles could explain celestial phenomena as well as the behavior of massive objects on Earth was unfathomable. So even those who respect Aristotle's dictum, that "a well-schooled man is one who searches for that degree of precision in each kind of study which the nature of the subject at hand admits" (*Nicomachean Ethics* I.3: 1094b24) may insist that although ethics, like science, does not *appear* to be the kind of study that admits of a great deal of precision, it may perhaps, like science, permit of more precision than it seems to allow at first sight—if only we manage to find the correct moral principles.

All this is to say that there were, in fact, good reasons to pursue the generalist research program even though the underlying commitment of this program concerning the essentiality of exceptionless generalizations to proper explanation was never explicitly argued for. But if after a sufficiently long period of time a research program fails to provide the results one had hoped it would deliver, one may find it necessary to examine the fundamental commitments of the research program in question. And since we have not yet managed to find and formulate satisfactory exceptionless explanatory moral principles, the generalist research program has, so far, failed to provide an adequate account of morality. So we should now ask whether there are any arguments in support of the generalist presumption, and whether there are any good reasons to object to the particularist commitment that (adequate) moral explanation need not appeal to exceptionless moral principles.

A natural place to look for such arguments is the literature on the nature of explanation. And indeed, the most influential essay in modern discussion of this topic—

namely, Hempel and Oppenheim's seminal essay 'Studies in the Logic of Explanation'—provides a detailed model of explanation according to which exceptionless generalizations are essential for adequate explanations.[1] The fundamental insight of Hempel and Oppenheim's model, which is also known as the "covering law model", or the "D-N model" (Deductive-Nomological model), is that to explain a certain phenomenon is to demonstrate that this phenomenon *had to occur*. An explanation, on this model, has the form of a deductive argument. The conclusion of the argument is (a sentence describing) the phenomenon to be explained—the *explanandum*—and the premises of the argument—(the sentences describing) the *explanans*—must logically imply the explanandum. Moreover, the explanans must include a statement of a general law, and this law must play an indispensable role in the derivation of the explanandum.

Hempel and Oppenheim were interested primarily in the structure of *scientific* explanation. Nevertheless, moral philosophers have also endorsed the idea that explanation is subsumptive in nature. John Ladd, for example, in a paper titled 'Ethics and Explanation' claims that "the aim of explanation…is an ordering of phenomena under general law…To the question "Why?," explanations answer by a subsumption under a general statement." (1952:499) In a footnote, Ladd directs the reader to Hempel and Oppenheim's essay for a more precise account of explanation.[2] Since subsumption

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[1] Hempel and Oppenheim (1948). For a discussion of the importance and influence of Hempel and Oppenheim's essay, see Salmon (1989) and Woodward (2003a, 2003b). For example, in his introduction Salmon writes: "A large preponderance of the philosophical work on scientific explanation in the succeeding four decades [after the publication of Hempel and Oppenheim's essay] has occurred as a direct or indirect response to this article." (3-4)

[2] See Ladd (1952) fn. 1

under general statement is, according to Ladd, the very essence of explanation, he concludes that there are no important differences between the basic pattern of explanation that Hempel and Oppenheim identify in empirical sciences and the basic pattern of explanation in ethics. "Ethical theory," he writes, "seeks to explain, *and therefore* uses the methods of explanation which are similar to those of the other empirical sciences such as psychology, physics, meteorology, linguistics, etc."[3]

Surely if Ladd and Hempel and Oppenheim are right about the structure of explanation in ethics, then the particularist project is in trouble, because if in order to explain a certain phenomenon we must subsume this phenomenon under a general law, then in order to explain the rightness of *R* we will have to find a general law (or principle) that "covers" *R*. That is, if Hempel and Oppenheim are right, then an explanation of the rightness of *R* should have the following form:

1) Action *R* has feature φ.	} Explanans
2) Every action that has feature φ is morally right.	
3) (Therefore,) action *R* is morally right.	} Explanandum

Without the (exceptionless) principle stated in line (2), the explanans would not logically imply the explanandum, and consequently, the explanation would be inadequate. So if an explanation that fails to conform to this model is defective, the particularist research program is doomed from the outset.

But why should we think that all explanations must conform to this kind of deductive model of explanation? Ladd, alluding to Hempel and Oppenheim again,

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[3] Ibid. p. 501 (emphasis added).

claims that explanations "should provide us with statements that have 'potential predictive force.'"[4] And the general laws cited in the explanans afford explanations with predictive power. But Ladd does not explain why we should think that explanations must have predictive force in the first place. Indeed, for Hempel and Oppenheim the fact that "the difference between [explanation and prediction] is of pragmatic character" and that "an explanation is not fully adequate unless its explanans, if taken account of in time, could have served as a basis for predicting the phenomenon under consideration" (138) are not constraints on a theory of explanation, but consequences of the theory of explanation they propose.

So why do Hempel and Oppenheim think that explanations are subsumptive in nature? Interestingly, this question is not explicitly answered in their essay. Hempel and Oppenheim tell us that their goal is "to shed some light on [the function and the essential characteristics of scientific explanation] by means of an elementary survey of the basic pattern of scientific explanation." (135) They begin their survey with two illustrations of scientific explanations. The first is an explanation of the initial drop, and subsequent swift rise of the mercury level in a glass thermometer, when the thermometer is rapidly immersed in hot water. "How is this phenomenon to be explained?" they ask. (135) Now this question is ambiguous. It could be understood as a question about how the abovementioned phenomenon is *actually* explained by scientists. Alternatively, it could be interpreted as a question about how this phenomenon *ought to be* explained. Hempel and Oppenheim seem to shift from the descriptive reading to the normative one.

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[4] P. 499. Ladd borrows the phrase "potential predictive force" from Hempel and Oppenheim. See Hempel and Oppenheim (1948) p. 138.

One might think that this shift from a descriptive reading to a normative reading is innocuous. Naturally, if we are to give an analysis of the concept of scientific explanation, it is a good idea to begin our inquiry with a few paradigmatic samples of scientific explanation—samples that exemplify, as clearly as possible, the components of the proposed analysis. Indeed, providing paradigmatic exemplars could be understood, plausibly enough, as a way to help the readers identify the concept Hempel and Oppenheim are trying to give an account of. But surprisingly, the illustrations Hempel and Oppenheim provide do not exemplify the pattern of explanation they propose. In order to see this, it is worth citing their sample explanation, and their analysis of this example, at length. "The increase in temperature," they write,

> affects at first only the glass tube of the thermometer; it expands and thus provides a larger space for the mercury inside, whose surface therefore drops. As soon as by heat conduction the rise in temperature reaches the mercury, however, the latter expands, and as its coefficient of expansion is considerably larger than that of glass, a rise of the mercury level results.—This account consists of statements of two kinds. Those of the first kind indicate certain conditions which are realized prior to, or at the same time as, the phenomenon to be explained; we shall refer to them briefly as antecedent conditions. In our illustration, the antecedent conditions include, among others, the fact that the thermometer consists of a glass tube which is partly filled with mercury, and that it is immersed into hot water. The statements of the second kind express certain general laws; in our case, these include the laws of the thermic expansion of mercury and of glass, and a statement about the small thermic conductivity of glass. The two sets of statements, if adequately and completely formulated, explain the phenomenon under consideration: They entail the consequence that the mercury will first drop, then rise. Thus, the event under discussion is explained by subsuming it under general laws, i.e., by showing that it occurred in accordance with those laws, by virtue of the realization of certain specified antecedent conditions. (135-6)

Hempel and Oppenheim begin by presenting a possible explanation of the phenomenon in question. Their proposed explanation may well be the answer one

would receive from a scientist to the question "How is this phenomenon to be explained?"—first the glass tube expands, causing the mercury level to drop; then, when the mercury heats up, the mercury expands and the level of mercury in the tube rises. Next, Hempel and Oppenheim go on to analyze this proposed explanation. They claim that this explanation involves two kinds of statements: *antecedent conditions* and *general laws*. The antecedent conditions include "the fact that the thermometer consists of a glass tube which is partly filled with mercury, and that it is immersed into hot water." These features are indeed mentioned in the sample explanation presented in the first few sentences of the paragraph. However, the statements of general laws they identify—"the laws of the thermic expansion of mercury and of glass"—are not mentioned in the sample explanation at all.[5] In claiming that explanations involve statements of general laws, Hempel and Oppenheim are no longer *describing* the sample scientific explanation they have given us; instead they are offering a *normative* account of what scientific explanation ought to look like. The last two sentences are particularly telling. "The two sets of statements [i.e., *antecedent conditions* and *general laws*], ***if adequately and completely formulated***, explain the phenomenon under consideration." The qualification "if adequately and completely formulated" indicates that the sample "explanation" described in the beginning of the paragraph is, in fact, an inadequate explanation; only when the antecedent conditions and general laws are *adequately and completely* formulated, we will have properly explained the

[5] One of the "statements of general laws" that Hempel and Oppenheim claim their proposed explanation appleas to is "a statement about the small thermic conductivity of glass." Their explanation does mention that the "coefficient of expansion [of mercury] is considerably larger than that of glass," but as stated, this is a statement of fact and not a statement of a general law.

phenomenon in question. "***Thus***, the event under discussion," they claim, "is explained by subsuming it under general laws." But the "thus" here is misleading. Hempel and Oppenheim proposed a *reconstruction* of the sample explanation they originally presented as a subsumptive explanation, but they offered no argument to support their claim that "the event under discussion is explained by subsuming it under general law." In fact, if we take the sample explanation at face value, the event under discussion is explained without mention of any general law at all.

Now surely there is nothing wrong with offering a reconstruction of a sample explanation; it is not uncommon for philosophers of science to try to unmask the underlying structure of scientific concepts like 'scientific explanation' even if this structure is rarely, if ever, explicitly exemplified in scientific discourse. But if this is what Hempel and Oppenheim are doing, then the sample explanation they discuss provides no support for their analysis, nor does it help us to identify the concept they are trying to analyze. They could have begun their paper by stating their proposed analysis and showing that they can reconstruct sample explanation to fit the explanation schema they put forward.[6]

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[6] The second example Hempel and Oppenheim present is no more helpful than the first:

> To an observer in a row boat, that part of an oar which is under water appears to be bent upwards. The phenomenon is explained by means of general laws—mainly the law of refraction and the law that water is an optically denser medium than air-and by reference to certain antecedent conditions—especially the facts that part of the oar is in the water, part in the air, and that the oar is practically a straight piece of wood.—Thus, here again, the question *"Why* does the phenomenon happen?" is construed as meaning "according to what general laws, and by virtue of what antecedent conditions does the phenomenon occur?" (136)

In this case Hempel and Oppenheim do not present the explanation of the phenomenon in question. Instead they simply assert "the phenomenon is explained by means of general laws…and by reference to certain antecedent conditions." Again, the "thus" in

To be clear, I have not argued that the covering law model is false or even problematic. All I have claimed so far is that we have not yet been given any reason to think that explanations must have a deductive form; despite Hempel and Oppenheim's rhetoric (e.g., "From the preceding sample cases let us now abstract some general characteristics of scientific explanation." (136)) their appeal to sample explanations offers no support for the pattern of explanation they propose, and as far as I can tell, they offer no other argument to motivate their deductive model of explanation.

Now if there were no difficulties for Hempel and Oppenheim's model, and if there were no alternative theories of explanation, we might have had reason to accept this model of explanation—even though Hempel and Oppenheim offer no argument to convince us that this is the correct model of explanation—in virtue of its success, or in virtue of the absence of competing accounts. In the next section I will argue that deductive models of explanation face serious problems. In the subsequent sections I will present several alternative models of explanation.

3.3 Are All Explanations Deductive?

One noticeable difficulty for applying the covering law model of explanation in ethics is that we have not yet managed to find and formulate exceptionless moral principles that can be used in deductive explanations. Lying, for instance, is typically

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the final sentence is misleading. Surely Hempel and Oppenheim construed the question "*Why* does the phenomenon happen?" as meaning "according to what general laws, and by virtue of what antecedent conditions does the phenomenon occur?" but they offered no argument as to why it should be so construed. Moreover, their use of passive voice here is also ambiguous. The phrase "the question is construed as" could be read as a descriptive claim—emphasizing the point that Hempel and Oppenheim in fact construed it in this way—or as a normative claim—the question *ought to be* construed as they propose. In either case we have no argument for the claim that the question should be construed as Hempel and Oppenheim construe it.

wrong (or wrong-making), but not always.[7] So we cannot *deduce* that an act is wrong from the fact that it involves lying. Usually, an act is right if it brings about the best consequences, but not always.[8] So we cannot *deduce* that an act is right from the fact that it leads to the best consequences.

The absence of exceptionless generalizations that can be used in deductive explanations is not unique to ethics. In the special sciences—e.g., in biology, psychology, economics, and history—scientists have yet to find and formulate exceptionless laws. And since exceptionless laws are not currently available in these disciplines, it follows that if scientists provide any adequate explanations in these fields at all, their explanations conform to an alternative, non-deductive, model of explanation.

Interestingly, Hempel and Oppenheim were well aware of this problem, and they claim that (most) explanations in the special sciences are, in fact, incomplete. As an example of an explanation in the special sciences they present one popular explanation of the severe price drop at the US cotton exchanges in the fall of 1946. The price drop, according to this explanation, was due to the fact that a large-scale speculator began to liquidate his stocks, which was soon followed by many panicked liquidations by smaller speculators. According to Hempel and Oppenheim, even though

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[7] For example, lying is not wrong (or even wrong-making) when playing a game in which lying is the point of the game (e.g., *Diplomacy* or *Contraband*). Other examples of lies that are, arguably, not wrong (or wrong-making): lying to a Nazi concentration camp guard; lying to a dying patient (e.g., "everything is going to be all right"); Lying to a person about their appearance (e.g., just before going on stage to give an important lecture, your spouse asks you how she looks; it is probably not wrong to tell her that she looks great even if she, in fact, doesn't—i.e., even if she looks nervous or pale etc.)

[8] For example, the "organ harvest" scenario: it is wrong to kill an innocent passer-by (without her consent) in order to harvest her organs and to transplant them into five other patients who would otherwise die.

general regularities are not explicitly mentioned in this explanation, some general regularities are "referred to" or "implied" by it. For instance, this explanation, they claim, implies "some form of the law of supply and demand," and it relies on "regularities in the behavior of individuals who are trying to preserve or improve their economic position." (141) These laws, they admit, "cannot be formulated at present with satisfactory precision and generality." And consequently, "the suggested explanation is surely incomplete, but its intention is unmistakably to account for the phenomenon by integrating it into a general pattern of economic and socio-psychological regularities." (141)

There are several difficulties with this analysis. First, the fact (if it is a fact) that the proposed explanation "refers to," "implies," or "relies on," several generalities, does not mean that these regularities are a part of the explanation. For example, factual claims "rely on" some evidence. But the evidence for the truth of the explanans need not be part of the explanation, even though the explanation "relies on" these facts. Similarly, the explanans may imply all kinds of statements that are not relevant to the explanation in hand. For example, any explanans trivially implies all tautologies, but these tautologies are not part of the explanation. Also, a generalization of the form (1) All *F*s are *G*s implies that (2) if *a* is *F* then *a* is *G*, but claim (2) may be irrelevant to an explanation if the explanandum is that (3) *b* is *G*. So although (2) is implied by (1) it is not a part of the explanation of (3). Similarly, even if the explanation in question "implies" the law of supply and demand, and "relies on" some psychological regularities, these regularities need not be a part of the explanation.[9]

[9] For a similar criticism of Hempel and Oppenheim see Scriven (1962)

Second, *pace* Hempel and Oppenheim, it is not "unmistakably" clear that the intention of this explanation is to subsume the particular event under an exceptionless generalization. As they point out, the proposed explanation does not explicitly mention any generalizations. What evidence is there, then, for the claim that the author of the explanation intended to subsume the event in question under any generalization, not to mention the particular generalizations that Hempel and Oppenheim specify? Isn't it possible that the intention is to explain the event in question by citing several events that are *relevant* to its occurrence, but that do not *necessitate* its occurrence?

Finally, since the relevant laws and regularities "cannot be formulated at present with satisfactory precision and generality," this explanation fails to satisfy the conditions of adequacy that Hempel and Oppenheim identify—the explanans does not imply the explanandum. So why is this proposed explanation an "incomplete explanation" rather than simply a failed explanation. Indeed, how is it an "explanation" at all?[10] Perhaps the thought is that this "incomplete explanation" is an explanation because it approximates the "real explanation" of the phenomenon in question. In an earlier paper Hempel introduced the notion of *explanation sketches;* an explanation sketch is not a full-fledged explanation, but presumably it could be turned into one:

> What the explanatory analyses of historical events offer is...in most cases not an explanation in one of the meanings developed above, but something that might be called an explanation *sketch.* Such a sketch consists of a more or less vague indication of the laws and initial conditions considered as relevant, and it needs "filling out" in order to turn into a full-fledged explanation. This filling-out requires further empirical research, for which the sketch suggests the direction. (Explanation sketches are common also outside of history; many

[10] See Scriven (1962)—esp. section 4.2—for a critique of Hempel and Oppenheim's notion of "complete explanation."

explanations in psychoanalysis, for instance, illustrate this point.) (1942:42)

Hempel and Oppenheim assume that although explanations in the special sciences are incomplete, they give us some indication as to how they are to be "filled out," or supplemented so as to form complete explanations. In the aforementioned example, for instance, the proposed explanation indicates that we need to find an exceptionless formulation of the law of supply and demand, and one or more exceptionless regularities regarding human psychology and motivation in order to obtain a full-fledged explanation.

But a few problems remain. First it is still unclear how explanation sketches explain anything. Since we cannot deduce the explanandum from the explanans in an explanation sketch, then either explanation sketches do not explain, or deduction is not required for explanation. Even if explanation sketches indicate to us what we need to do in order to find a full-fledged explanation, they cannot explain at all if Hempel and Oppenheim are right about the deductive nature of genuine explanation.

A related problem is that at present, it is an open question whether there are any strict laws, or exceptionless (explanatory) generalizations, in the special sciences. For example, it is an open question whether we can find and formulate a non-trivial (i.e., explanatory) exceptionless version of the law of supply and demand, not to mention (strict) psychological laws, or (strict) historical laws. If it turns out that there are no (strict) laws in the special sciences, then it will follow, on Hempel and Oppenheim's account, that these sciences provide no explanations at all—not even explanation sketches. Another way to put this point is this: it may turn out that what we thought were *explanation sketches* were not explanations at all, because the vague laws these

explanations consist of cannot be filled out and turned into strict laws. This, to paraphrase Hempel, "does not appear to accord with sound common usage," which directs us to say that regardless of whether the law of supply and demand, for instance, could be "filled out" in order to avoid all possible exceptions, it does explain various economic phenomena.

Finally, it is not clear that explanation sketches always, or even often, suggest a direction for "filling out" the explanation sketch in order to fit the Hempel-Oppenheim schema. Consider, for instance, the following explanation for why Germany declared war on Russia in August 1914.

> Archduke Ferdinand, heir to the Austro-Hungarian throne, was assassinated in Sarajevo by a Bosnian Serb on June 28, 1914. As a result, Emperor Franz Joseph of Austria-Hungary declared war on Serbia. Russia, as an ally of Serbia, declared war on Austria, which was followed by Germany declaring war on Russia on August 1, 1914.

Surely there is a lot more one could say here as part of the explanation of the German declaration of war on Russia. One could elaborate on the socio-political situation in Europe, including the various agreements and power struggles between nations, and in this respect we could think of our proposed explanation as an "explanation sketch." However, it certainly doesn't look like the intention of this explanation is to subsume the event in question under an exceptionless law. It is not clear that this sketch "implies," "refers to," or "relies on" any exceptionless regularity, and this "sketch" doesn't seem to suggest any particular way for filling it out in such a way that it would fit the Hempel-Oppenheim explanation schema.

As we have seen, for Hempel and Oppenheim explanation sketches are defective explanations—an explanation sketch is merely a placeholder for the "real" explanation

that we ought to look for, and it is only explanatory to the extent that it indicates to us how to obtain the "real" explanation. As Weingartner (1961) notes: "Hempel's article must be construed not as an argument in support of the thesis that historical explanation has a certain pattern, but rather as a claim that the explanations offered in history are in certain ways and in varying degrees inadequate. Fullfledged explanations always have the same structure, whether they occur in science or history." (32) Roughly, Hempel's line of thought is this: we have made a philosophical discovery regarding the form of proper explanation; explanations in the special sciences do not exemplify this form, and therefore, they are defective.

Other philosophers take a different approach.[11] Many explanations in the special sciences, they claim, are perfectly adequate. But Hempel and Oppenheim's theory of explanation tells us that these explanations are defective. Therefore, Hempel and Oppenheim's account is false. Indeed, since most, if not all, of the explanations given in the special science (as well as many of the explanations given in the hard sciences—including Hempel and Oppenheim's examples)[12] do not exemplify the model of explanation that Hempel and Oppenheim develop, we may doubt whether Hempel and Oppenheim have given us an account of the most important or interesting sense of 'explanation.' William Dray, one of the main opponents of the Hempelian model, writes:

> There is, in fact, some reason for thinking that what the covering law theory gives us is the criterion of a technical sense of 'explanation' found only in narrowly scientific discourse, perhaps only among certain philosophers of science…Hempel's formulation begins by laying down

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[11] See, for example, Dray (1954, 1957) and Scriven (1959a, 1959b, 1962)
[12] Cartwright (1983) argues that there are no strict explanatory laws in physics. If she is right, then Hempel's model doesn't even apply in the hard sciences.

> the logical structure of explanation as he believes he finds it in physics; he then goes on to show that historical cases approximate to this in varying degrees. There is no apology for the direction of the analysis from physics, where the logical outline is boldly displayed, to other fields, where traces of the model have to be found by dint of careful reconstruction... 'Explanation', as covering law theorists use it, is a technical term...But if scientists, for their own legitimate purposes, redefine 'explain' so that it means roughly what covering law theorists say it does, then we are quite justified in advertising our awareness of what has been done by saying that, in fact, scientists do not seem to be much interested in explanation; they care only for 'explanation' (as technically defined). (1957:76-78)

Hempel does not deny that the logical structure he identifies is not usually displayed in the practice of giving explanations in the special sciences, and indeed, in the hard sciences. However, for Hempel, once we have identified the logical structure of explanation, we can use this knowledge to evaluate proposed explanations, and to criticize explanations that fail to conform to this model. Weingartner explains the Hempelian philosophic methodology as follows: "[T]he starting point of philosophic reflection is an insight into what an explanation is; all that follows constitutes a reconstruction and elaboration of that insight in terms of a philosophic position that does not directly depend upon an understanding of the particular thing (historical explanation) being examined, but is grounded in philosophic considerations of a much broader sort." (1961:36-7)

Dray, by contrast, seems to think that we should take the practice of scientists—including scientists in the special sciences—more seriously. Scientists, at least sometimes, give what they and most of us take to be adequate explanations. But since scientists rarely, if ever, give explanations in a deductive form, and moreover, since in many cases we cannot restate their explanations in a deductive form, then it follows that

Hempel's account is not an account of 'scientific explanation' as the phrase is commonly used.

This disagreement between Hempel and Dray concerns a profound dispute about philosophical methodology. At one extreme we find the view that philosophy is in the business of discovering *a priori* analyses, and therefore, considerations of actual applications of concepts have little, or no bearing on philosophical results. On the other extreme, we find the view that philosophers should only record, organize, and classify actual uses of various concepts; that we have no access to the meaning of a concept independent of the way this concept is used in natural language. Obviously, there are various "in between" views and it is beyond the scope of my project here to try to resolve this fundamental debate about the nature and goals of philosophical theorizing. Nevertheless, in this particular case it seems to me that Hempel's position is especially suspect, because Hempel's view not only entails that most, if not all, explanations in the special sciences are not genuine explanations, it may also lead to the result that explanations in physics—those explanations which Hempel considered as paradigmatic instances of successful explanations—are also not genuine explanations. As Scriven points out:

> The most striking demonstration that [even] explanations in physics are not natural subjects for the deductive model is afforded by the failure of Hempel, on his own admission, to produce a single example that meets the conditions. Certainly he gives a perfectly good example of a physical explanation…but he does not succeed in formulating it is such a way that the required conclusion is entailed by it. (1959b:459)

If, in fact, Hempel's view entails that very few "explanations" are genuine explanations, then we may reasonably conclude that the notion of explanation that Hempel analyzed is not the only notion of explanation that we are interested in, and that

there is some other, non-deductive, sense of 'explanation' that we actually employ in scientific discourse.

Interestingly, later on Hempel recognized that a deductive model of explanation is not the only model of explanation employed in the sciences. In his 'Aspects of Scientific Explanation'[13] Hempel developed his *inductive-statistical* model of explanation (IS model) in order to account for explanations based on statistical laws. The explanandum of an IS-explanation cannot be deduced from its explanans; all that can be deduced is that the explanandum is more or less likely to occur. For example, if some law entails that a certain coin is 90% likely to land heads if tossed, we cannot use this law to *deduce* that this coin would land heads when tossed. Nevertheless, we can explain the event of this coin landing heads by citing the fact that the coin was tossed, and that given the relevant law it was 90% likely to land heads. For Hempel, an IS-explanation is successful to the extent that the explanans confers high probability on the explanandum.

For our purposes here, we need not discuss the difficulties for Hempel's IS-model, and the various refinements of statistical explanations offered in the literature.[14] The important point is that Hempel, like many other philosophers, recognized that not all explanations are deductive. And by recognizing this, Hempel seems to step closer towards Dray's preferred philosophical methodology. After all Hempel could have insisted that by *a priori* insight we discovered that explanations are essentially deductive, and since statistical explanations are not deductive, they are defective.

Indeed, Roger Crisp seems to endorse this line of reasoning:

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[13] Hempel (1965)
[14] For a discussion of these issues see, for example, Salmon (1989)

> At the quantum level, we might have some set of initial conditions *s* which issues in outcome *o*. But we cannot strictly claim that *s causes o*, because we know that some identical set of initial conditions *s** might issue in an outcome *p* which is non-identical with *o*. What we have here is a case of genuine indeterminism, which is to that extent *inexplicable*: it just happens that way.[15]

But Hempel, instead, admits that statistical explanations are possible. And indeed, it seems implausible, *pace* Crisp, to deny that the statistical laws of quantum mechanics are explanatory. But similarly, it seem equally unreasonable to deny that the "laws" of psychology are explanatory, even if it turns out that they cannot be turned into strict laws. So it is hard to see what reasons one could have for thinking that statistical explanation is the only admissible form of non-deductive explanation.

In this section I have argued that there are various difficulties for Hempel's deductive model of explanation. Even if Hempel's account captures the logic of explanation in the physical sciences—which is far from obvious—it seem quite clear that it fails to capture the structure of explanation in the special sciences. Moreover, since we have not been given any argument for the claim that explanations are essentially deductive, and given Hempel's own admission that some explanations are not deductive, we have good reason to explore alternative non-deductive models of explanation.

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[15] Crisp (2007) p. 47 (my italics). Crisp seems to have an extremely restrictive notion of causation, and consequently, an implausibly restrictive notion of explanation. I suspect that Crisp's endorsement of these unreasonable commitments prevents him from recognizing the viability of the particularist research program: "If some feature that is claimed to be an ultimate reason for action in one case fails as a reason in some other case, then either the two features must be allowed to differ or we have followed the white rabbit into a world where anything can happen. Normative principles, that is to say, are like typical natural laws. Each system helps us to understand—in one case, why something happened; in the other, why someone should do something. Unexplained exceptions can only hinder our understanding, and spur us on to avoid them through further specification." (47)

3.4 *Ceteris Paribus* Explanation

As I mentioned in the previous section, for Hempel and Oppenheim strict laws are essential for adequate explanations, since without strict laws we cannot *deduce* the explanandum from the explanans. There are several competing views on the nature of laws, but one thing they all agree on is that a strict law is (at least) a universally quantified conditional statement that asserts that whenever certain conditions obtain, other conditions obtain as well. Schematically, we can represent strict laws as follows: 'all *F*s are *G*s'. If we find one instance of (F & ~G), then 'all *F*s are *G*s' is false—i.e., 'all *F*s are *G*s' is not a strict law.[16]

Several philosophers, however, have noted that strict laws are hard to come by—particularly in the special sciences. Pietroski and Rey, for example, write: "it seems that special sciences do not—and, indeed, probably could not—state genuinely exceptionless generalizations." (1995:83) Our current best "laws" in the special sciences are not immune to counterexamples unless we qualify these laws with '*ceteris paribus*' (i.e., 'all thing being equal') clauses. As Lipton observes "Most laws are ceteris paribus laws. If we are being punctilious, what we say is not 'All Fs are G', but only 'All Fs are G, all else being equal'." (1999:155) Similarly, Silverberg claims that "If there are any psychological laws, they would be *ceteris paribus* laws. Between the occurrence of any sort of psychological going-on and any subsequent sort of event, intervening disruptive factors can intrude. Between time *t*1 and later time *t*2 a

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[16] Of course this is not a sufficient condition for lawhood, but only a necessary condition. We need to distinguish between *laws* and *accidental generalizations* that can be expressed as true universal conditionals.

psychological system might go mad, or die, or the universe might disappear." (201) And likewise, Morreau maintains that

> hedged laws are the only ones we can hope to find. Laws are commonly supposed to be truths, but interesting generalizations, without some modifier such as 'ceteris paribus', are by and large false. This is so in ethics, in history, and in non-basic sciences: economics, biology, psychology, and the rest. There are reasons to think it so in basic sciences like physics, too. (1999:163)

Barring the dispute about the availability of strict laws in the physical science,[17] it is clear that we have not yet found strict laws in many of the special sciences, and that at present we have to settle for *hedged* generalizations or *ceteris paribus* generalizations in those fields. Moreover, some philosophers have argued that the special sciences are *incapable* of establishing strict laws.[18]

Following Pietroski and Rey and others, I will take as data for any theory of explanation that special sciences like biology, psychology, economics, and history sometimes provide good explanations even when strict laws are unavailable.[19] This means that explanation can proceed without strict laws. Nevertheless, one might insist, with Hempel and Oppenheim, that explanation requires subsumption under law. Woodward (2002) succinctly summarizes this line of thought as follows:

> Many philosophers hold the following set of beliefs. (1) A genuine science must contain "laws". (2) Whatever else a law is, it must at least describe an exceptionless regularity. In particular all laws have the "All As are Bs" form of ... universally quantified conditionals in which the condition in the antecedent of the law is "nomically sufficient" for the condition in its consequent. (3) Laws are required for successful explanation and to ground or support causal claims. Even if the DN

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[17] For more on this debate see, or example, Cartwright (1983, 1989), Pietroski and Rey (1995), and Earman, Roberts, and Smith (2002)
[18] See, for example, Earman and Roberts (1999)
[19] See, for example, Fodor (1991), Pietroski and Rey (1995), Woodward (2002), and Earman, Roberts, and Smith (2002)

> model of explanation didn't quite get the details right, explanation is at bottom a matter of providing nomically sufficient conditions for an explanandum and this requires generalizations that are laws. (4) Putting aside generalizations that are explicitly probabilistic in form, if a generalization is to be testable at all (if it is to have empirical content rather than being vacuous), it must take the [universally quantified conditional] form … If it does not, we cannot use the generalization to make determinate predictions. (303)[20]

As Woodward sees it, it is the acceptance of claims (1)-(4) that leads philosophers to believe that there are genuine *ceteris paribus* laws; if one accepts (1)-(4), then the special sciences must find and formulate laws not only for explanation, but also in order to vindicate their status as genuine sciences. But since we cannot find strict laws in the special sciences, then perhaps we can make do with *ceteris paribus* laws instead. *Ceteris paribus* generalizations are *defeasible,* and they can survive exceptions. Unlike a strict law, the statement '*ceteris paribus,* all *F*s are *G*s' is not refuted by one instance of (F&~G).

Two questions arise: (1) Can *ceteris paribus* generalizations qualify as genuine laws? That is, can genuine laws have exceptions? And (2) Even if there are genuine *ceteris paribus* laws, can these laws explain anything? Let us address these questions in turn.

The two main worries concerning the existence of genuine *ceteris paribus* laws are these: (1) We do not have an informative account of the truth conditions for *ceteris paribus* law statements, and consequently, some have argued that a *ceteris paribus*

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[20] See, also, Schiffer (1991): "Some philosophers believe that there are *ceteris paribus* laws and that without them there would be no special-science explanations, and hence no special sciences. These philosophers think that science is in the business of providing scientific explanations, that such explanations require laws, and that there are no, or only very few, strict special-science laws; whence their appeal to *ceteris paribus* laws." (1)

law—e.g., '*ceteris paribus*, all *F*s are *G*s'—asserts nothing more than the vacuous tautology 'All *F*s are *G*s, except when they are not.'[21] (2) *Ceteris paribus* laws make no predictions. The law '*ceteris paribus*, all *F*s are *G*s', combined with the information that *x* is *F* (and together with any combination of auxiliary hypotheses), does not entail that *x* is *G* (or even that with probably *p*, *x* is *G*).

To the best of my knowledge no one has yet offered an account of truth conditions for *ceteris paribus* law statements. However, several philosophers have proposed *sufficient* condition for the non-vacuity of *ceteris paribus* laws. For example, Pietroski and Rey suggest that '*ceteris paribus*, all *F*s are *G*s' is non vacuous if (roughly) whenever *x* is *F*, but *x* is not *G*, then there is an independently explanatory interfering factor at work; that is, there is a factor *H* that explains why *x* is not *G*, *and H* also explains something other than the fact that *x* is not *G*.[22]

This proposal is not without difficulties. Several philosophers have argued that it is too permissive—that is, too many statements qualify as *ceteris paribus* laws on this account.[23] However, even if it is too permissive, it nevertheless shows that *ceteris*

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[21] See, for example, Schiffer (1991), Earman, Roberts, and Smith (2002), and Woodward (2002).

[22] See Pietroski and Rey (1995). See also Fodor (1991), and Silverberg (1996).

[23] See, for example, Woodward (2002) and Eearman, Roberts, and Smith (2002). Woodward and Eearman, Roberst, and Smith, claim that too many statements will qualify as *ceteris paribus* laws on Pietroski and Rey's account. For example, Earman, Roberts, and Smith write: "Many substances that are safe for human consumption are white; for every substance that is white and is not safe for human consumption, there presumably exists some explanation of its dangerousness (e.g., in terms of its chemical structure and the way it interacts with the human nervous system); these explanations are not ad hoc, but can be supported by a variety of kinds of evidence; but none of this constitutes evidence for the hypothesis that it is a law that CP, white substances are safe for human consumption." (294) Similarly, Woodward claims that Fodor's account and Pietroski and Rey's account are "far too permissive. On both proposals, the

paribus statements are not vacuous—not *any* general statement qualifies as a *ceteris paribus* law.[24] Moreover, even if this proposal cannot be refined and improved on, the problem of the absence of truth conditions for *ceteris paribus* law-statements may not be so critical. As Earman, Roberts, and Smith explain:

> This point [i.e., the absence of an informative account of the truth-conditions of *ceteris paribus* law-statements] is not fatal to CP laws, however. Perhaps it is unreasonable to demand truth conditions for CP law-statements. This could be beeause the concept of a CP law is a primitive concept, which is meaningful even though it cannot be defined in more basic terms. Or it could be because an assertability semantics or conceptual-role semantics, rather than a truthconditional semantics, is appropriate for CP law-statements. Furthermore, one might well deny that it is necessary to have an acceptable philosophieal account of the semantics for a given type of statement before granting that that type of statement plays an important role in science. And it is hard to deny that there are examples of statements qualified by CP elauses that seem to be perfeetly meaningful.[25] (293)

However, the second worry—that *ceteris paribus* laws make no predictions—is, according to Earman, Roberts, and Smith, conclusive. Since *ceteris paribus* laws make no predictions, they are untestable, and since they are untestable, they cannot partake in scientific theorizing.

But surely one could deny that *ceteris paribus* laws make no predictions. For instance, the law '*ceteris paribus*, all *F*s are *G*s' predicts that if *x* is *F*, and *cetera* are

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generalization "All charged objects accelerate at 10 m/s^2" qualifies a *ceteris paribus* law." (310)

[24] Schurz (2001) criticizes Pietroski and Rey's account and he proposes an alternative account of *ceteris paribus* laws. Nevertheless, he admits that on Pietroski and Rey's account *ceteris paribus* laws are not vacuous, but only *almost vacuous*.

[25] Silverberg (1996) observes that the consequenees of denying that *ceteris paribus* elauses are meaningful are unaceeptable: "*ceteris paribus* conditions are unexceptional instances of a very common, and needed, phenomenon in our coneepts and assertions, and hence [the] claim that cp conditions are semantieally objectionable is a suggestion of unaeeeptably destructive import." (211) This is because most conditionals we assert are defeasible.

paria, then *x* will be *G*. The problem, of course, is that we cannot specify the conditions under which *cetera* are *paria*, or in other words, that we cannot provide informative truth conditions for the statement '*cetera* are *paria*'.[26] But this doesn't seem to be a different worry than the first—namely, that we cannot provide truth conditions for *ceteris paribus* statements. So it seems that if the first problem is not insurmountable—that is, if we are willing to accept the idea that *ceteris paribus* statements are meaningful even though we do not have an acceptable philosophical account of the semantics for these types of statements—then the second problem should be surmountable as well.

Furthermore, why should we think that predictions are deductive in the first place? Certainly we cannot *deductively* predict that a particular *F* is *G* from the law '*ceteris paribus*, all *F*s are *G*s'; that is, we cannot predict this with certainty. But we make non-deductive predictions all the time: we predict the weather; we predict the outcome of elections and sporting events; we make predictions about the stock market

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[26] Lange (2002) contends that judgment is required in the application of strict laws in specific cases in much the same way that it is required for the application of *ceteris paribus* laws. Even if it were possible to replace the '*ceteris paribus*' clause with a fully explicit list of conditions, the application of the "fully explicit" law "derives its content…by virtue of our implicit background understanding of what would count as compelling reasons for (or against) the correctness of applying it to a given case." (409) Once we realize this, we see that there is no special problem regarding truth conditions for, or predictions with, *ceteris paribus* statements. As Lange explains, the content of the "law of definite proportion" stated as a *ceteris paribus* law—i.e., Any chemical compound consists of elements in unvarying proportions by mass, *ceteris paribus*—is no more vague than a statement of this law without a *ceteris paribus* quantifier (if such a statement were possible)—e.g., Any chemical compound consists of elements in unvarying proportions by mass unless the compound is a network solid or a polymer. The content of 'network solid' in the second formulation is no less vague than the content of the *ceteris paribus* clause in the first. This, according to Lange, shows that "law need not be associated straightforwardly with a regularity. It may be associated only with an inference rule that is 'reliable' – i.e., that leads to conclusions close enough to the truth for the intended purposes." (411)

and the economy, and so forth. In all these cases our predictions are not deductive, and the claim that our predictions might be false doesn't undermine their status as genuine predictions, nor does it prevent us from evaluating them as a good/bad or better/worse predictions. Our grounds for making such prediction, as well as our justification for these predictions may well rest on various *ceteris paribus* generalizations.[27] This observation indicates that requiring that all predictions are deductive—that is, that predictions must rely on strict laws, and must guarantee the occurrence of the event predicted—is not a constraint issued by the nature of the concept 'prediction'.

Finally, even if Earman, Roberts, and Smith are correct in saying that *ceteris paribus* laws are inadmissible entities for scientific theorizing because such laws make no predictions and as a result they are untestable, we may still think that *ceteris paribus* laws are admissible in ethics. Ethical "laws"—strict generalizations as well as *ceteris paribus* generalizations—are not "testable" in any straightforward way. So if our only reason to object to *ceteris paribus* laws in the sciences is that unlike strict laws, *ceteris paribus* laws are untestable, then either we must object to all "laws" in ethics, or we may as well allow *ceteris paribus* moral laws in our ethical theorizing as well. In other words, considerations of testability do not differentiate between strict laws and *ceteris paribus* laws in ethics.

It is worth mentioning here one account of *ceteris paribus* laws due to Peter Lipton (1999).[28] According to Lipton *ceteris paribus* laws are genuine laws. However

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[27] I am grateful to Gary Matthews for pointing this out to me.

[28] This is not the only available account of *ceteris paribus* laws. One alternative account, due to Marc Lange, is based on a pragmatist account of lawhood. Lange argues that in order to see that *ceteris paribus* generalization are genuine laws, we should identify the distinctive role laws play in scientific theorizing, and recognize that *ceteris*

these laws need not identify exceptionless generalizations. Instead *ceteris paribus* laws "draw our attention to the stable dispositions and forces that underlie the flux of behaviour." (163) For example, "to say that glass breaks when dropped, *ceteris paribus*, is to say that glass is fragile and that this feature is not readily lost." (163) The crucial point is that *ceteris paribus* laws "refer to stable dispositions that may be widely present even if only rarely directly manifested." (163-4)

According to Lipton, dispositions can help us make sense of *ceteris paribus* laws because, unlike properties which an object either has or lacks, dispositions are subject to a tripartite distinction: "displaying, present-but-not-displaying, or absent." (163) Roughly, Lipton's proposal is that *ceteris paribus* laws are true if they truly attribute a disposition to a kind. Nevertheless, they have exceptions because a thing could fail to manifest a disposition that it has. So, for example, '*ceteris paribus* matches light when struck', attributes the disposition to light when struck to individuals of the kind 'match'. In oxygen free environment, for example, a match would not light when struck, even though it has the disposition to light when struck. So the *ceteris paribus* law is true, even though there are cases in which the disposition will not be exemplified. In contrast, '*ceteris paribus*, toothpicks light when struck' is false, because toothpicks do not have the disposition to light when struck, even if there were some situations in which toothpicks would light if struck.

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paribus generalizations play the same role. See Lange (2000, 2003). For an application of this model to explanation in ethics see Lance and Little (2007). Silverberg (1996) makes a similar point regarding *ceteris paribus* generalizations: "*Ceteris paribus* laws are laws which, if the qualifying condition expressed in their *ceteris paribus* clauses were removed, could have counterexamples, and hence would require the qualification of their universality that *ceteris paribus* clauses express. Despite this need for qualification, the qualified principles are laws, since they retain considerable generality or scope, and possess considerable predictive and/or explanatory value." (201)

According to Lipton, the dispositional approach to *ceteris paribus* laws solves the vacuity problem for *ceteris paribus* law-statements, and it provides a way to distinguish between this semantic problem and the predictive problem discussed above:

> We don't know when all things are equal, but the whole point of the dispositional view is in a sense that we do not need to know, since the disposition is present regardless. Of course some idea of when all things are equal (or equal enough) might be essential to applying the law to predict the manifestation of the underlying disposition, but the basic dispositional attribution seems safe. (166)

If, as seems plausible, there are acceptable ways to test attributions of dispositions to kinds, then *ceteris paribus* law-statements may well be admissible in scientific theorizing.[29]

Now let's suppose that there are genuine *ceteris paribus* laws. Can such laws explain anything? For example, can we explain the fact that (3) *a* is *G*, by noting that (1) *a* is *F*, and that (2) '*ceteris paribus*, all *F*s are *G*s'? Surely, we cannot deduce (3) from (1) and (2). However, I have argued that the deductive model of explanation is unmotivated, and indeed, I have claimed that once we allow for statistical explanation, we have already given up on a purely deductive model of explanation anyway. Now once we give up on a purely deductive model of explanation we can see that (deductive) prediction and explanation may come apart;[30] although we cannot deductively predict (3) from (1) and (2), we may still be able to *explain* (3) in terms of (1) and (2). One reason why (deductive) prediction and explanation can come apart is, as Scriven

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[29] For more on *dispositionalism*—the view that dispositions, rather than laws are the fundamental units of explanation—see Cartwright (1989, 1983) and Mumford (1998). For an application of this view to ethics see Robinson (2006) (Note, however, that my understanding of the disagreement between particularists and generalists is very different from Robinson's).

[30] As we have seen above, one need not accept the claim that predictions are deductive.

observes, that "we have more *data* for explaining than we did for predicting." (1959b:469)[31]

To illustrate this point, let us consider one of Hempel's examples:

> If a particular revolution is explained by reference to the growing discontent, on the part of a large part of the population, with certain prevailing conditions, it is clear that a general regularity is assumed in this explanation, but we are hardly in a position to state just what extent and what specific form the discontent has to assume, and what the environmental conditions have to be, to bring about a revolution. (1942:41)

Recall that according to Hempel, since we are not in a position to identify exceptionless generalizations that connect population discontent and the occurrence of revolutions, an explanation of a particular revolution in those terms would be, at best, an explanation sketch; and as we have seen in the previous section, it is not clear how an explanation sketch (for Hempel) could be explanatory at all.

Alternatively, suppose we could find and formulate a *ceteris paribus* law relating population discontent and the occurrences of revolutions; perhaps we could formulate a *ceteris paribus* law that looked something like this:

> (CPR) *Ceteris paribus*, if a sufficiently large part of the population of a particular nation is sufficiently discontent with its current regime, then a revolution occurs.[32]

Surely, we cannot use (CPR) to (deductively) predict the occurrence of a revolution in any particular nation with certainty.[33] Even if we knew that 80% of the

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[31] See Scriven (1959a) for an argument that shows that explanation and prediction can come apart based on a discussion of the explanatory power of evolutionary theory. See also MacIntyre (1981) Ch. 8.

[32] I do not contend that (CPR) is a genuine *ceteris paribus* law—indeed, as stated, it probably isn't. I only use (CPR) for illustrative purposes, and for the sake of the example, I will assume that it is a genuine *ceteris paribus* law.

population of nation *N* are discontent with their current regime, we do not know whether 80% is a "sufficiently large part of the population" or whether these 80% are "sufficiently discontent", and, of course, we do not know whether *cetera* are *paria*. So it is clearly impossible to (deductively) predict with certainty the occurrence of a revolution based on (CPR) and statements of initial conditions. Nevertheless, suppose we know that a revolution has occurred in nation *N*, and we now want to explain this occurrence. If we know that a large portion of the population of nation *N* were discontent, then this fact, together with (CPR) is at least a *candidate explanation*. And if we cannot find an alternative (plausible) explanation of the occurrence of the revolution, then we may well accept this candidate explanation as an adequate explanation of the revolution, even though its explanans does not logically imply the explanandum.[34]

3.5 Explanation without Laws

The claim that there are genuine *ceteris paribus* laws is highly contentious. Indeed, according to some theories of laws, it is impossible for laws to have exceptions, and consequently, the notion of a 'defeasible law' or a '*ceteris paribus* law' is, on these

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[33] As noted above, we may predict that a revolution will occur in nation *N*, and we may justify our prediction by appealing to (CPR) without using (CPR) to *deduce* that a revolution will occur.

[34] This is a simplified version of a kind of explanation that Scriven (1959b) calls 'selection explanations'. "What we have is a range of formally possible explanations…and on the basis of the facts of the case, we *select* one of the anteecedents as the explanation. It is the particular fact, not the general proposition or the derivation, which provides the explanation in such cases…The point of the explanation is to locate the *relevant* causal antecedent, not to prove that it is a possible one." (462)

theories, simply an incoherent notion.[35] Now if we were correct in assuming that special sciences like biology, psychology, economics, and history sometimes provide good explanations even when strict laws are unavailable, then those who deny that *ceteris paribus* law statements refer to genuine laws, must conclude that laws are not required for explanation—that is, that an explanation could be perfectly adequate without appealing to any genuine laws at all.[36] In this section I will briefly describe a few models of explanation without laws.

The first account is due to James Woodward. Woodward (2002) claims that there is no such thing as *ceteris paribus* laws. Instead he argues that "It is…false that successful explanation requires laws and false that the provision of a nomically sufficient condition for an explanandum is either necessary or sufficient for explaining it." (304) Nevertheless, he believes that *ceteris paribus* generalizations can play a role in scientific explanation. "While I reject the idea that the generalizations found in the

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[35] For example, Armstrong's view, according to which laws are grounded in identities between universals, seems to preclude the possibility of laws that have exceptions. See Lance and Little (2007)

[36] Schiffer (1991) writes: "When *I* read biology, I have a hard time finding anything that looks like a law-invoking explanation, and I think I know why. Suppose you just invented the spring-activated mousetrap and had to explain *how it worked*. You would explain that, when the device works, it's because the mouse nibbles at cheese placed on a release mechanism; the movement caused by the nibbling releases a bar attached to a stretched spring; etc. But you wouldn't mention any laws. Maybe if you went on in an explanatory chain long enough, you'd get to laws: but they'd be laws of physics, not laws of mousetrap theory. In the same way, much of biology is concerned to explain how various mechanisms work—think of the explanation of photosynthesis—and such explanations seem not to invoke any biological *laws*, strict or *ceteris paribus*…since [cognitive psychology, too, is concerned with] explaining how mechanisms work, there's no obvious reason such explanations should *need* laws, strict or *ceteris paribus*." (16) Schiffer does not explicitly say whether he thinks that "complete" explanations in biology and cognitive psychology *must* mention the physical laws that ground the operation of the mechanisms they explain. His last remark, however—that there is no obvious reason such explanation should need laws—suggests that he believes that explanations are perfectly adequate without mention of any laws.

special sciences are *ceteris paribus* laws," he writes, "I fully agree that many of those generalizations are "scientifically legitimate", that they are testable and in fact strongly supported by evidence, and that they describe causal relationships and figure in explanations." (306)

Woodward claims that there are no good analyses of the meaning of *ceteris paribus* claims, and that there are no good reasons for thinking that there are *ceteris paribus* laws in the first place. He points out that the locution '*ceteris paribus*' is rarely used in the special sciences, and consequently, it is not clear what the standard of success for analyses of *ceteris paribus* laws would be. Moreover, Woodward observes that philosophers use *ceteris paribus* clauses to qualify laws in various different ways, and he argues that there is no reason to think that a single analysis of '*ceteris paribus* law' could capture all these different instances of laws qualified by a *ceteris paribus* clauses.[37]

Woodward's proposal, then, is that exception-full generalizations, though not laws, can be used in explanation. To demonstrate this, Woodward considers the following example:

> (E) Administration A (where this consists [of] administration of drugs D according to protocol P) to human beings with tumors of type T causes recovery R (where recovery is understood to mean that the tumors of type T disappear and remain absent for some specified period – e.g., five years). (307)

Woodward contends that for some values of A, T, and R, (E) is true, and strongly supported by evidence. After considering and rejecting various reformulations

[37] For a classification of various distinct kinds of *ceteris paribus* laws see Morreau (1999) and Schurz (2002).

of (E) as a *ceteris paribus* law (for reasons similar to those discussed in the previous section), Woodward proposes an alternative account of the explanatory value of (E).

Woodward notes that we can test claims like (E) by performing randomized tests. Patients with tumors of type T can be randomly divided in to two groups. One group receives treatment A, and the other receives no treatment. If our sample is large enough, then the randomization guarantees that factors besides A that may affect recovery are roughly evenly distributed between the two groups. So if we find a statistically significant greater recovery rate in the group that received A, we can conclude that administration A to patients with tumor of type T *makes a difference* with respect to R. It is important to realize that we can determine that A makes a difference with respect to R even though we do not have a more precise generalization regarding the specific conditions under which A causes R. "The notion of administration of treatment being relevant to or making a difference for recovery," Woodward explains,

> is captured by the notion of the counterfactual dependence of R on A, where the antecedents of the relevant counterfactuals are understood as realized by processes that have the characteristics of idealized experimental interventions … what is required for the truth of (E) is simply that for *some* individuals, recovery counterfactually depends on some possible intervention that realizes A. It is not required that for *all* people with tumors of type T, recovery counterfactually depends on A. Instead, it is consistent with the truth of (E) that some people have no possibility of recovering even if given A. Nor is it required that all interventions realizing A change whether recovery occurs (or the probability of recovery occurring) for all or even some individuals. (317)

Instead of a subsumptive model of explanation according to which to explain is to subsume under a general law, Woodward proposes that to explain is to cite a feature (or a set of features) that makes a difference to the occurrence of the explanandum. And since we can identify features that make a difference without identifying exceptionless

generalization, then exceptionless generalizations are not required for explanation. Once we realize that nomic necessity is not required for explanation, we can see that laws—strict, or *ceteris paribus*—are not required for explanation, and that we can make sense of the explanatory value of (E) even though we cannot restate it as a strict- or *ceteris paribus*- law.

A different account of non-law-based explanation is due to Michael Scriven (1959b, 1962). Scriven's insight is that we ought not to confuse an explanation with the justification of the explanation. Recall that for Hempel, (strict) laws are required for explanation because an explanation must *guarantee* the occurrence of the explanandum; if the explanation lacks a true general proposition that connects the explanans with the explanandum, then the occurrence of the explanans doesn't *uniquely imply* the occurrence of the explanandum. Scriven claims that Hempel's insistence on always including laws as part of the explanation is unwarranted—it conflates the explanation itself with our reasons for thinking that the explanation is a good explanation.

Scriven notes that an explanation could be defective or deficient in (at least) three different ways: it could be *inaccurate*, if the explanans is ill supported by the evidence; *inadequate*, if the explanans does not fully explain the explanandum; or *irrelevant*, if the explanation is of the wrong kind (e.g., causal explanation rather than psychological explanation). Corresponding to these three possible deficiencies, are three types of justifications for explanations: *Truth-justifying grounds* are the grounds for thinking that the explanation is accurate—i.e., our evidence for the truth of the explanans; *Role-justifying grounds* are our grounds for thinking that our explanation is

adequate (at least in the relevant context); *Type-justifying grounds* are our grounds for thinking that one type of explanation is required rather than another.

Scriven argues that just as the truth-justifying grounds and the type-justifying grounds need not be included as a part of the explanation, so do the role-justifying grounds. If, upon giving an explanation, we are asked why we think the explanans are true, we will mention the truth justifying grounds of the explanation—i.e., our evidence for the truth of the explanans—but these need not be a part of the explanation. Similarly, if, upon giving an explanation, we are asked why we think the explanans support the explanandum, we will mention the role justifying grounds of the explanation—which may include a general (strict) law that connects the explanans with the explanandum—but these, too, need not be a part of the explanation.

Moreover, Scriven contends that the role-justifying grounds *need not* involve strict laws at all. He illustrates this by presenting a case "where we can be sure beyond any reasonable doubt that we have a correct explanation" and yet, we cannot provide strict laws as role-justifiers.

> As you reach for the dictionary, your knee catches the edge of the table and thus turns over the ink-bottle, the contents of which proceed to run over the table's edge and ruin the carpet. If you are subsequently asked to explain how the carpet was damaged you have a complete explanation. You did it, by knocking over the ink. The certainty of this explanation is primeval. It has absolutely nothing to do with your knowledge of the relevant laws of physics; a cave-man could supply the same account and be quite as certain of it…its *certainty* has nothing to do with your ability to quote the laws…if you were asked to produce the role-justifying grounds for your explanation, what could you do? *You could not produce any true universal hypothesis* in which the antecedent was identifiably present (i.e., which avoids such terms as "knock hard enough"), and the consequent is the effect to be explained…The simple fact must be faced that certain evidence is adequate to guarantee certain explanations without the benefit of deduction from laws. (456)

Scriven suggests that instead of laws, we should appeal to *normic statements* as the role-justifying grounds for good explanations of particular events. Scriven elucidates the notion of a *normic statement* with a few examples. (N1) "Rhombi" means the same as "equilateral parallelograms";[38] (N2) The penalty for revoke, in bridge, is two tricks; (N3) Strict Orthodox Jews fast on the day of atonement; (N4) Other things being equal a greater number of troops is an advantage in battle; (N5) A rise in the tariff characteristically produces a decline in the value of imports. Statements like (N1)-(N5) are not analytic, and they are also not refutable by a few counter instances (e.g., a few erring students who use "Rhombi" and "equilateral parallelograms" in a non-interchangeable way, do not undermine (N1); An Orthodox Jew who doesn't fast due to illness, doesn't undermine (N3) etc.) Yet more, these claims are not statistical claims. (N2) could be true even if most bridge players do not apply a two-trick penalty for revoke; and (N4) could be true even if in most battles ever fought the armies with the greater number of troops lost the battle. According to Scriven, "The normic statement says that *everything* falls into a certain category *except* those to which *certain special conditions* apply. And, although the normic statement itself does not explicitly list what count as exceptional conditions, it employs a vocabulary which reminds us of our knowledge of this, our trained judgment of exceptions." (1959b:466)

Moral statements like (N6) Lying is wrong making; and (N7) One ought to bring about the best consequences, could also be understood as normic statements. The fact that we cannot explicitly list the special conditions under which lying is not wrong making, for example, need not disqualify (N6) as the role-justifying grounds for a good

[38] Scriven explains that unlike the sentence "Rhombi are equilateral parallelograms," (N1) is not analytic because its denial is not self-contradictory.

explanation of the wrongness of a particular act of lying. And the fact that trained judgment is required in order to determine whether the fact that a particular act involves lying *explains* why this act is wrong, need not trouble us; since we do not have a satisfactory analysis of 'lying'—or any other interesting philosophical concept, for that matter—then even if (N6) were a strict law, we would still need to apply trained judgment in order to determine whether a particular act involves lying in the first place.[39]

Since Scriven contends that the special sciences provide good explanations even though strict laws are, for the most part, unavailable, he concludes that normic statements are essential to the explanation of particular occurrences:

> Explanation of an individual occurrence must use normic role-justifying grounds because (1) there aren't any true universal hypotheses to speak of and (b) statistical statements are too weak—they abandon the hold on the individual case. The normic statement tells one what had to happen in *this* case, unless certain exceptional circumstances obtained; and the historical judgment is made (and open to verification) that these circumstances did not obtain. (467)

Finally, we should briefly mention Dray's suggestion for non-law-based explanations.[40] Contra Hempel and Oppenheim, Dray thinks that an explanation need not (always) demonstrate that the explanandum had to occur; sometimes an explanation need only to show that the explanandum *could* occur. In other words, in some contexts, all we need to show is that the occurrence of the explanandum is *possible*, even though it is not *necessary*.

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[39] See fn. 26 above.
[40] See Dray (1954, 1957). The citations in the text are from Dray (1954) unless noted otherwise.

To mark this distinction, Dray differentiates between explaining *why something happened*, and explaining *how it could have happened*. "In explaining why something happened," he writes, "we rebut the presumption that it *need not* have happened, by showing that, in the light of certain considerations (facts and laws), it *had* to happen." (20) In contrast, "in explaining how something could have happened, we rebut the presumption that it *could not* have happened, by showing that, in the light of certain further facts, there is after all no good reason for supposing that it could not have happened." (20) Dray contends that these two kinds of explanations are distinct because they provide answers to different questions, and there is no reason to think that one kind of explanation is more fundamental than the other.

In order to show that something could have happened, we need not find premises from which its occurrence logically follows. Instead, all we need to do is to tell a plausible story about how it could have happened. And according to Dray, historical explanations are often of this kind. So, he concludes,

> an historical explanation may thus amount to *telling the story of what actually happened*, and telling it in such a way that the various transitions…raise no eyebrows. The story is told in such a way that presumptions of the form, 'But surely that couldn't have happened!', are rebutted in advance. Answers to likely objections are *built into* the narrative, which may thus have explanatory force (27)

Dray does not deny that on occasion we may want more than the story of the event in question. Nevertheless, the telling of any particular story about what actually happened is meant to answer the question how this occurrence could have happened. If we ask a different question—e.g., 'Why this occurrence and not a different occurrence?' or, 'Why this story and not a different story?—we should expect a different answer. But this does not undermine the adequacy of the proposed explanation as an answer to the

question for which it was presented. It is certainly no surprise that different questions demand different answers, and one ought not to expect that an explanation offered as an answer to one question would also answer *all* possible follow-up questions, since if this were required, no explanation would have been possible at all.

In this section I have presented three accounts of explanation that are not based on laws, strict or *ceteris paribus*. For our purposes here, we need not decide whether to explain is to cite a feature that makes a difference to the occurrence of the explanandum, whether explanations of particular occurrences ought to be grounded in *normic statements*, or whether explanations are (sometimes) stories of what actually happened. The important point for us is that there are alternatives to the deductive model of explanations. And since the deductive model of explanation is, at best, incomplete, there is no reason to think that explanation in ethics must conform to the deductive model. Indeed, given the kind of phenomena that ethics is about, it seems reasonable to expect that the kind of explanations we will find in ethics would be more similar to explanation in the special science than to those we find in the physical sciences.

3.6 Explanation as a Pragmatic Phenomenon

One of the hallmarks of Hempel's theory of explanation is that Hempel attempts to provide a *syntactical* condition for the adequacy of explanations; an explanation is adequate only if the explanandum syntactically follows from the explanans. However, several philosophers, and most notably Scriven, have argued that "Explanation is not a syntactical but a pragmatic notion," (1959b:452) and consequently, any syntactical constraints are bound to be too restrictive. According to Scriven, the only thing we can

say about explanation without artificially limiting the concept is that "explanations must produce understanding, and not simply knowledge." (451) Scriven insists that tying explanation to understanding in this way does not imply that the standards for the adequacy of explanations are purely subjective, because "there are objective tests for understanding just as for knowing or inferring. They happen not to be syntactieal tests as are (supposedly) those for deducing." (452) Unfortunately, though, Scriven doesn't have a lot to say about the notion of understanding.

Hempel, in his 1965 'Aspeets of Scientific Explanation', admits that there is a pragmatie sense of 'explanation': "To explain something to a person is to make it plain and intelligible to him, to make him understand it." (425) However, in this pragmatic sense, the very same account could constitute an explanation for one person and not for another. So this pragmatic sense of explanation affords a relativised notion of explanation: *E* is an explanation *for* a particular individual; there are no explanations *simpliciter*. Hempel acknowledges that the pragmatic aspects of explanation are interesting and important. Nevertheless, he contends that we must try to find an objeetive aeeount of seientific explanation, which conforms to the objeetive (i.e., non agent relative) standards of seientific research. The covering law model of explanation is meant to satisfy this demand for objectivity. Moreover, in response to Scriven's critique of his deductive model, Hempel declares:

> To call attention to the important pragmatic facets of explanation and to indieate the diverse procedures that may be appropriate in different cases to dispel the perplexity reflected in someone's quest for an explanation is not to show that a nonpragmatic model of seientifie explanation must be hopelessly inadequate...It is therefore beside the point to complain that the covering-law models do not elosely match the form in which working seientists actually present their explanations. (427-8)

Hempel is clearly correct in saying that merely calling attention to pragmatic facets of explanation does not *show* that all nonpragmatic models of explanation *must* be inadequate. But this response seems to misconstrue Scriven's objection. Scriven doesn't merely point out that the covering law model is not exemplified in scientific discourse—which, as Hempel observes, would have been besides the point—but rather, Scriven claims that many perfectly adequate explanations *cannot* be restated as deductive arguments in which the (sentence describing the) explanandum follows from the (sentences describing the) explanans. So Hempel's response to Scriven is misguided.

Moreover, Hempel seems to conflate explanation as a pragmatic notion with explanation as a subjective notion. To say that explanation is a pragmatic notion is to say that what qualifies as an adequate explanation is context sensitive, but it need not be agent relative in any objectionable way. In fact, developments in the study of formal pragmatics in the 70's made possible the development of a pragmatic theory of explanation. So one final approach to explanation we ought to consider here is a theory of explanation that takes seriously the pragmatic nature of explanation, and Bas van Fraassen (1980) developed such a theory.

Van Fraassen summarizes his view as follows: Explanation is

> a three-term relation, between theory, fact, and context. No wonder that no single relation between theory and fact ever managed to fit more than a few examples! Being an explanation is essentially relative, for an explanation is an *answer*...Since an explanation is an answer, it is evaluated vis-à-vis a question, which is a request for information. But exactly what is requested by means of the question 'Why is it the case that *P*?,' differs from context to context. (156)

An explanation, according to van Fraassen is an answer to a why-question.[41] Van Fraassen identifies why-questions with an ordered triple <Pk,X,R>, where Pk is the *topic* of the question (or the explanandum), X is the *contrast class*, and R is the *relevance relation*. It is important to realize that the same interrogative sentence can express different questions on difference occasions in which it is uttered. For example, consider the question: "Why is act *A* morally wrong?" This sentence may express (at least) two different questions: (1) "Why is act *A* (rather than act *B*) morally wrong?" or (2) "Why is act *A* morally wrong (rather than morally right)?" The topic of the question in both cases is the same—i.e., that act *A* is morally wrong—but the relevant contrast class is different: in the former question the contrast class includes: (P1) 'Act *A* is morally wrong'; (P2) 'Act *B* is morally wrong'; etc.; whereas the contrast class of the latter question includes: (P1) 'Act *A* is morally wrong'; (P2) 'Act *A* is morally right'.

A *direct answer* to a why-question will take the form: Pk in contrast to the rest of X because *A*, where *A* is a proposition that bears relation R to the couple <Pk, X>. And an explanation, according to van Fraassen, is a *direct answer* to a why-question. We evaluate explanations in (at least) three ways: (i) how likely is this explanation to be true (given our background knowledge); (ii) to what extent does the explanation favor Pk, rather than other members of the contrast class; (iii) how this explanation compares with other possible explanations.

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[41] Van Fraassen, following Hempel and Oppenheim, identifies explanation as an answer to a why-question. But as Dray (1954, 1957, 1959), Scriven (1959b, 1962), and Salmon (1989) point out, not all answers to why-questions are explanations, and not all explanations are answers to why-questions. Yet although the details of van Fraassen's account are not quite right, his main insight—that whether a particular account qualifies an adequate explanation depends on the context in which the explanation is given—is still worth noting. For a critique of van Fraassen's account, see Kitcher and Salmon (1987) and Salmon (1989)

For example, suppose we want to explain why act *A* is morally wrong (rather than morally right). The topic, or the explanandum is that act *A* is wrong. The contrast class is {*A* is morally wrong, *A* is morally right}. A possible answer to the question is that *A* is wrong (rather than right) because *A* involves the breaking of a promise. The quality of this explanation depends on considerations like the following: Does *A* in fact involve the breaking of a promise? To what extent does the fact that *A* involves the breaking of a promise support the claim that *A* is wrong rather than right? How does this explanation compare to other possible explanations (e.g., "*A* is wrong (rather than right) because *A* involves hurting an innocent by-stander") etc.

Note that an adequate explanation, on this model, need not include laws at all. Furthermore, an explanation need not show that the explanandum had to occur; instead, it only has to show that the explanandum is more likely than the contextually salient alternatives in the contrast class, given (the contextually salient features of) our background knowledge.[42] So, for example, the fact that a particular action involves the breaking of a promise might be a perfectly good explanation of its wrongness on one occasion, even though on a different occasion the fact that an action involves the breaking of a promise may be irrelevant to the explanation of its wrongness.

3.7 Explanation in Ethics

In the previous sections I have shown that we have very good reasons for believing that adequate explanations need not appeal to exceptionless principles. I have argued that the most influential account of explanation according to which

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[42] In this respect, van Fraassen's model is similar to what Scriven (1959b) calls 'selection explanations'. See note 34 above.

exceptionless generalizations are essential to proper explanation is unmotivated. Moreover, since the special sciences sometimes provide adequate explanations even when exceptionless generalization are not available, then even if the deductive model were a successful account of explanation in the physical sciences, we would have to identify another non-deductive model of explanation to account for explanation in other areas. Finally, I have shown that other accounts of explanation are readily available. In particular I've discussed explanations that are based on the availability of *ceteris paribus* laws, and explanations that do no require laws at all. I conclude that a survey of the literature on scientific explanation not only does not vindicate the generalist presumption that explanation must appeal to exceptionless principles, but rather it shows that this presumption is widely regarded as untenable. Indeed, this survey of the literature on explanation demonstrates that we are used to, and comfortable with explanations that are not grounded in exceptionless generalizations in (almost) all areas of inquiry.

My discussion in the previous sections was focused on accounts of scientific explanation, and clearly there are many differences between empirical sciences and ethics. In order to employ any one of the models of explanation I presented in the previous section in ethics, some modifications would be called for. For example, Woodward's thesis—that to explain is to cite a feature that makes a difference to occurrence of the explanandum—is cashed out in terms of randomized tests. It is crucial for Woodward's account that we can identify that a feature is (causally) relevant without identifying the specific conditions under which it makes a difference. The way we do this, according to Woodward, is though randomized tests where we can

justifiably assume that other relevant (or interfering) factors are (roughly) equally distributed between the test group and the control group. But randomized tests are not standard practice in moral theorizing, so clearly some modifications, or at least clarifications, are in order if we are to adopt this model of explanation as an account of explanation in ethics.

Other models of explanation are more easily adapted to fit the moral realm. Explanations based on *ceteris paribus* laws, or explanations grounded in *normic sentences*, for instance, as well as explanations relative to an implicit contrast class, could quite effortlessly be "transferred" to ethics.

In Chapter Two I discussed two types of generalist approaches: principle monism and principle pluralism. Monists, as I explained, claim that there is only one intrinsically morally relevant property—call it *P*—and that every action that exemplifies *P* is morally right. Pluralists maintain that there are several intrinsically morally relevant properties—call these properties *P1*...*Pn*—and that for each intrinsically morally relevant property, *Pi*, there will be a presumptive, or *pro tanto*, principle: for any action, *A*, if *A* exemplifies *Pi* then *A* is presumptively morally right (or wrong). I have argued that both monists and pluralists are generalists because they both believe that an explanation of the rightness of an action is inadequate unless it is grounded in an exceptionless moral principle, strict or *pro tanto*.

We can now see that only monism is compatible with a deductive model of explanation. For monists the explanation of the rightness of *A* is that *A* exemplifies *P*, and that every action that exemplifies *P* is morally right; the explanandum logically follows form the explanans. For pluralists, in contrast, an explanation of the rightness of

A is not deductive, because even if *A* exemplifies *Pi*, and every action that exemplifies *Pi* is *presumptively* morally right, it does not follow that *A* is morally right (in this case), but only that *A* is *presumptively* morally right. Ross (1930), for example, was well aware of this difficulty. "Our judgements about our particular duties," he explains,

> are not logical conclusions from self-evident premises. The only possible premisses would be the general principles stating their *prima facie* rightness or wrongness *qua* having the different characteristics they do have; and even if we could (as we cannot) apprehend the extent to which an act will tend on the one hand, for example, to bring about advantages for our benefactors, and on the other hand to bring about disadvantages for fellow men who are not our benefactors, there is no principle by which we can draw the conclusion that it is on the whole right or on the whole wrong. In this respect the judgement as to the rightness of a particular act is just like the judgement as to the beauty of a particular natural object or work of art. A poem is, for instance, in respect of certain qualities beautiful and in respect of certain others not beautiful; and our judgement as to the degree of beauty it possesses on the whole is never reached by logical reasoning from the apprehension of its particular beauties or particular defects. Both in this and in the moral case we have more or less probable opinions which are not logically justified conclusions from the general principles that are recognized as self-evident. (31)

Pluralists, like particularists, must endorse a non-deductive model of explanation. But once we have given up on a deductive model of explanation, it is not clear what extra explanatory value is gained from being committed to the claim that *every action* that exemplifies *Pi* is presumptively morally wrong, as opposed to the claim that *Pi* is *typically* wrong-making.

Ross believed that the fact that a fulfillment of a promise is *always* right-making, for instance, is self evident.

> What comes first in time is the apprehension of the self-evident *prima facie* rightness of an individual act of a particular type. From this we come by reflection to apprehend the self-evident general principle of *prima facie* duty. (33)

For Ross, then, the commitment to the existence of exceptionless presumptive principles is not based on their role in explaining moral phenomena, but rather it is due simply to their self-evidence. However, it is not clear why Ross thinks that these principles are self-evident. Presumably, Ross thinks that we observe a few actions that involve promise keeping, and we notice that in those cases promise keeping is right-making. By reflecting on these cases we can see, according to Ross, that promise keeping is always morally relevant. But it is not clear how one could conclude from a particular case, or a set of cases, that promise keeping is *always* morally relevant.[43] And once we give up on a deductive model of explanation—as pluralists must—the commitment to the claim that promise keeping is *always* morally relevant is not only unmotivated but also unnecessary. So if my argument in Chapter Two is correct—that is, if we have reason to prefer particularism and pluralism to monism—then we might as well prefer particularism to pluralism, since pluralists' commitment to the availability of strict presumptive principles seems to have theoretical costs, and no theoretical benefits.

3.8 Conclusion

The claim that moral explanation must appeal to exceptionless principles has rarely been argued for.[44] Nevertheless, many philosophers find the particularist research program objectionable because they believe that giving up on the search for exceptionless moral principles is tantamount to giving up on moral theorizing. I hope to

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[43] For a critique of Ross's self-evidence claim and the epistemological difficulties involved, see Dancy (1983).

[44] I have found only one paper that directly addresses the question of explanation in ethics—Ladd (1952).

have shown in this chapter that this is mere dogma—it is based on an undefended, and indeed, an indefensible notion of explanation. A careful study of the literature on explanation reveals that a deductive approach to explanation is unmotivated, and moreover, that it is widely regarded as an inadequate account of explanation in the social sciences, and arguably in the physical sciences as well.

In this chapter I have not recommended any particular non-deductive model of explanation. I believe that any one of the non-deductive models discussed in sections 3.4-3.6 is compatible with particularism—once the proper adjustments are made to accommodate moral explanation rather than scientific explanation. Indeed, different particularist theories may endorse and defend different models of explanation, and the structure of each individual particularist theory may well depend on the specific details of the non-deductive theory of explanation it is committed to. For instance, some particularist theories may try to identify *ceteris paribus* moral generalizations or moral *normic* sentences, while other theories may look for moral dispositions, or moral difference makers.

It is important to keep in mind that each of the theories of explanation discussed in this chapter is not without difficulties. Explanation, like all other philosophically interesting concepts, is a difficult notion to analyze, and the plurality of theories of explanation may lead us to conclude with Roth, that "there is no good reason to believe that there is just one correct explication of the notion of explanation." (1988:3) Be that as it may, the plurality of theories of explanation, the difficulties they all face, and the fact that there is no consensus about which theory of explanation is correct, should

convince us that one cannot dismiss a competing moral theory simply by pointing out that there are difficulties for the account of explanation this theory is committed to.

One might still insist that since there are known difficulties for all the accounts of explanation currently available, then we have reason to look for exceptionless moral principles. One could argue that such principles, if found, would provide a *simpler* explanation of moral phenomena than any one of the alternatives discussed above. But first, the simplicity of the explanation will depend, of course, on whether the exceptionless principles involved are actually simple. If the only exceptionless principles we find are extremely complex, then the explanation in which they are employed may well be no simpler than its competitors.

Second, even though simplicity counts in favor of a theory, it is not the only virtue a theory must exemplify. In our efforts to eliminate counterexamples, we may inadvertently rob our principles of their explanatory power, for example, by restricting the range of situations to which they apply, or due to *ad hoc* modifications to circumvent exceptions.

Finally, we must not forget that moral phenomena is undeniably complex, and as Hayek (1967) observes "a simple theory of phenomena which are in their nature complex…is probably merely of necessity false—at least without a specified *ceteris paribus* assumption, after the full statement of which the theory would no longer be simple." (28) Einstein is remarked upon as saying, "Everything should be as simple as possible but no simpler." And this is no less true in ethics than it is in the sciences.[45]

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[45] In his paper 'The Tyranny of Principles' Toulmin reports on a quotation, attributed to H. L. Mencken, that hangs in the staff lounge at The Hastings Center: "For Every human problem, there is a solution that is simple, neat, and wrong." (1981:31)

CHAPTER 4

PARTICULARISM IN ARISTOTLE'S ETHICS

4.1 Introduction

One striking feature of Aristotle's *Nicomachean Ethics* is that unlike many modern moral treatises, Aristotle's work is *not* concerned with finding and formulating exceptionless moral principles. Aristotle seems perfectly comfortable discussing generalizations that are true "for the most part," or hedged generalizations—i.e., generalizations that are true only "in the right times, with reference to the right objects, towards the right people, with the right motive, and in the right way." This sharp contrast between Aristotle's approach to the study of morality and the standard modern style of ethical theorizing is thought provoking. As Sarah Broadie observes,

> That Aristotle provides no ground-level normative ethics, and is apparently quite untroubled by any lack of a system here, gives us food for thought. He so blatantly fails to produce the kind of position that it is a modern tradition to expect as a main deliverance of philosophical ethics – and he is not wringing his hands! (2006:353)

Why didn't Aristotle—surely one of the greatest philosophers of all times, whose work covers almost all areas of philosophy—try to develop a ground-level normative ethics? Why didn't he try to find and formulate exceptionless moral principles?

In this chapter I will attempt to answer these questions. I will argue that even though Aristotle is not in the business of formulating exceptionless moral principles he does, *pace* Broadie, provide a ground-level normative ethics—that is, he provides a theory that purports to *explain* the rightness of particular actions. I will suggest that the reason Aristotle did not try to formulate exceptionless moral principles is that he simply

didn't think that such principles are necessary in order to provide an adequate account of morality; or in other words, I will argue that we can interpret Aristotle as presenting a particularist moral theory.

I will proceed as follows: first, by focusing on Aristotle's proclaimed goals and methods in the *Nicomachean Ethics*, and by reviewing several commentaries on his project, I will present a *prima facie* case for a particularist reading of the text (Section 4.2). Next, I will argue that Aristotle is not trying to help us to identify which of the range of actions available to us is morally right, but rather, that his theory is meant to teach us how to explain why those acts that we know are right have the normative status they do. I will suggest that Aristotle's doctrine of the mean is not intended to serve as a decision procedure, but as an explanatory schema that we should apply in order to explain why right acts are right (section 4.3).

In II.2 Aristotle famously asserts that "we are not conducting this inquiry in order to know what virtue is, but in order to become good." (1103b27, Ostwald trans.) In section 4.4 I will discuss Aristotle's practical ambitions for his ethical work, and I will explain how these goals are consistent with the interpretation I propose in section 4.3.

4.2 A *Prima Facie* Case for a Particularist Interpretation

In II.2, right after Aristotle explains that virtue is formed by habit, and just before he begins a detailed presentation of his theory of virtues and the doctrine of the mean, Aristotle pauses in order to emphasize a point he has already made—indeed, a

point he rehearses several times throughout the *Ethics*[1]—concerning the nature and goal of ethical theorizing:

> But this must be agreed upon beforehand, that the whole account of matters of conduct must be given in outline and not precisely, as we said at the very beginning that the accounts we demand must be in accordance with the subject matter; matters concerned with conduct and questions of what is good for us have no fixity, any more than matters of health. The general account being of this nature, the account of particular cases is yet more lacking in exactness; for they do not fall under any art or precept but the agents themselves must in each case consider what is appropriate to the occasion, as happens also in the art of medicine or of navigation. (1103b35-1104a9, Ross trans.)

Aristotle's repeated remarks about the nature of the subject matter that moral theories are concerned with—i.e., subject matter that lacks fixity—are congruent with a particularist approach to morality. Moreover, his constant reminders that we ought not to seek mathematical precision in ethical theorizing, his comments on the ineliminable role of perception and practical wisdom in making correct moral judgments, as well as his characteristic emphasis on the role of habituation in moral development, seem to invite a particularist interpretation of his project. And indeed, some commentators interpret these remarks as an explicit rejection of the generalist program.

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[1] For example, I.3,1094b13-26: "Our discussion will be adequate if it achives clarity within the limits of the subject matter. For precision cannot be expected in the treatment of all subjects alike, any more than it can be expected in all manufactured articles. Problems of what is noble and just, which politics examines, present so much variety and irregularity that some people believe that they exist only by convention and not by nature. The problem of the good, too, present a similar kind of irregularity … Therefore, in a discussion of such subjects, which has to start from a basis of this kind, we must be satisfied to indicate the truth with a rough and general sketch: when the subject and the basis of a discussion consist of matters that hold good only as a general rule, but not always, the conclusions reached must be of the same order. The various points that are made must be received in the same spirit. For a well-schooled man is one who searches for that degree of precision in each kind of study which the nature of the subject in hand admits: it is obviously just as foolish to accept arguments of probability from a mathematician as to demand strict demonstrations from an orator." (Ostwald trans.) See also I.7: 1098a25-30, I.13: 1102a23-26, V.10: 1137b13-32, and IX.2: 1165a12-14.

For example, Jonathan Dancy, the leading modern particularist, describes the virtuous agent as one who has been equipped, through training, with a full range of moral sensitivities. Dancy argues that the virtuous person is not one who has access to a set of principles she can use to subsume new cases under. Instead, what she brings to each new situation is "a countless ability to discern what matters where it matters." (1993:50) Dancy then goes on to suggest that this conception of the virtuous agent is in the spirit of Aristotle's *Ethics*: "Anyone who has read Aristotle's *Nicomachean Ethics* will discern the Aristotelian style of this account of virtue, both in its refusal to see moral judgment as the subsumption of a new case under a previously formulated moral principles and in its stress on the role of moral education." (1993:50)

Similarly, John McDowell, finds support for his arguments against principle-based virtue ethics in Aristotle's work: "My aim is to sketch the outlines of a different view, to be found in the philosophical tradition which flowers in Aristotle's ethics." (1979: 141) Although McDowell never explicitly counts himself as a particularist, his interpretation of Aristotle seems quite friendly to a particularist approach to morality. "To an unprejudiced eye," he writes,

> it should seem quite implausible that any reasonably adult moral outlook admits of any such codification [i.e., codification in terms of a set principles, which are apt for serving as major premises in syllogisms]. As Aristotle consistently says, the best generalizations about how one should behave hold only for the most part. (1979:148)

In his commentary on Aristotle's *Nicomachean Ethics*, Harold Joachim claims that when Aristotle notes the complexity and the lack of fixity of the subject matter of ethics he is not merely asserting, "as a modern writer on ethics might say," (1951:15) that morality deals with extremely complex phenomena, and as a result the formulation

of exceptionless moral principles is an arduous task that we have not yet accomplished. Instead, Aristotle's view, according to Joachim, is that

> Conduct belongs to a sphere of reality in which there is no necessity—no necessary laws, but at most general rules with exceptions. Hence to discover and formulate the general rules, the probable conclusions, etc., is to attain to the only 'knowledge' possible in this sphere. A tissue of probable judgments, in which the uncertainty is recognized and the necessity of exceptions admitted, is the accurate reflection of the facts." (1951:15)

According to Joachim's interpretation, then, Aristotle's view is not only that we do not need exceptionless principles in our moral theorizing, but rather that given the subject matter of ethics, it is *impossible* to formulate exceptionless moral principles.

Myles Burnyeat seems to endorse an interpretation of Aristotle not much different from those proposed by Dancy, McDowell, and Joachim. "Now the noble and the just," he writes,

> do not, in Aristotle's view admit of neat formulation in rules or traditional precepts. It takes an educated person, a capacity going beyond the application of general rules, to tell what is required for the practice of the virtues in specific situations. (1980:72)

Burnyeat, like the other commentators discussed above, believes that on Aristotle's view morality cannot be codified by a set of exceptionless principles. The capacity to make correct moral judgments is not acquired by learning a set of moral principles, because the appropriate evaluative attitude cannot be codified by such principles: "What Aristotle is pointing to is our ability to internalize from a scattered range of particular cases a general evaluative attitude which is not reducible to rules or precepts." (1980:72)

Finally, Robert Louden is also impressed by Aristotle's repeated comments on the lack of fixity of the subject matter of moral theorizing:

> The radical variability and indefiniteness of the subject matter of practical science implies that it is not possible to formulate rules which hold in all cases. Instead, the use of a 'Lesibian rule' which adapts itself to changing individual circumstances is needed. (1137b30-32) (1991:162)

Unlike scientific knowledge, the conclusions of practical sciences are "never rigidly universal" (163) This, Louden explains, is due to the fact that "what is called for in the way of action cannot be fully determined independently of the context within which one is deliberating: the account of particular cases 'does not fall under any art or set of rules, but the agents themselves must in each case consider what is appropriate to the occasion.' (1104a7-9)" (162)

In a recent paper, Rebecca Stangl summarizes the kind of support that particularists find in Aristotelian virtue ethics:

> There is an obvious affinity between virtue ethics and particularism. Both stress the complexity of the moral life, the inadequacy of rule-following as a guide to moral deliberation, and the importance of judgment in discerning the morally relevant features of particular situations." (forthcoming)[2]

All the observations and commentaries that I have cited in this section emphasize what Aristotle is *not* doing. He is *not* looking for exceptionless principles, and he is *not* trying to provide a moral theory of the kind that moral generalists are looking for. These features of Aristotle's account of morality make a *prima facie* case for a particularist interpreting of the *Nicomachean Ethics*. But as I explained in Chapter

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[2] Interestingly, Stangl directs her readers to Crisp (1996b) and Crisp and Slote (1997b) "for examples of the assumption that virtue ethics must be particularist in some sense." (fn. 1) However, given Crisp's unequivocal rejection of particularism (Crisp 2000 & 2007) it is surprising that Stangl finds any kind of support for a particularist reading of Aristotle in Crisp. I take this to show that there is still a great deal of confusion regarding the nature of particularism; there is still no agreement in the current debate about what particularism amounts to, and what exactly particularists are committed to.

One, particularism is not merely a negative claim about what moral theories cannot do. For all that has been said so far, Aristotle might reject not only generalism, but particularism as well—perhaps he simply wasn't interested in offering a ground-level normative ethics; maybe, for instance, he was not interested in explaining the rightness of actions, but rather, he was only concerned with questions regarding the nature of good moral character.[3]

So in order to show that Aristotle can be read as a particularist we need to do more than simply to show that he is not a generalist. We must make clear how his theory explains moral phenomena, including the rightness or wrongness of actions, without appealing to exceptionless moral principle. In the following sections I will show how Aristotle's theory can accomplish this task.

4.3 The Starting Point for Moral Theorizing

In this section I will argue that Aristotle is offering a theory that purports to explain the rightness and wrongness of actions. I will claim that Aristotle is not providing necessary and sufficient conditions for the rightness of actions in order to accomplish this task, but that he is offering a schema for explaining *why* those acts that are right are right. The doctrine of the mean, I propose, is an *explanatory schema* for the rightness of actions; it is a template, or a pattern, that we can employ in order to explain the rightness of particular actions. Aristotle, I will argue, is not trying to help us figure out which of the actions available to us are right because he is assuming that a student who is qualified to hear his lectures is already capable of doing this. Instead, what Aristotle offers is an explanation of why actions have the normative status they have.

[3] See, for example, Pincoffs (1971) and Taylor (1988).

A natural place for us to begin our discussion of Aristotle's positive account of morality is the passage in I.4 in which Aristotle explicitly comments on philosophical methodology and on the starting points for moral theorizing:

> [1] Nor must we overlook the fact that arguments which proceed from fundamental principles are different from arguments that lead up to them. Plato, too, rightly recognized this as a problem and used to ask whether the discussion was proceeding from or leading up to fundamental principles, just as in a race course there is a difference between running from the judges to the far end of the track and running back again. [2] Now, we must start with the known. But this term has two connotations: "what is known to us" and "what is known" pure and simple. Therefore, we should start perhaps with what is known to us. [3] For that reason, to be a competent student of what is right and just, and of polities generally, one must first have received a proper upbringing in moral conduct. [4] The acceptance of a fact as fact is the starting point, and if this is sufficiently clear, there will be no further need to ask why it is so. [5] A man with this kind of background has or can easily acquire the foundations from which he must start. [6] But if he neither has nor can acquire them, let him lend an ear to Hesiod's words:
>
> > That man is all-best who himself works out every problem...
> > That man, too, is admirable who follows one who speaks well.
> > He who cannot see the truth for himself, nor, hearing it from others,
> > Store it away in his mind, that man is utterly useless. (1095a31-1095b12, Ostwald trans.)

One of the difficulties in interpreting this passage concerns the use of the word *archē* and its cognates. *Archē,* in its most concrete sense, means beginning (or starting point) but it is also used for first principle (or fundamental principle).[4] Different translators choose different renderings of the various occurrences of this word, and their choices give rise to alternative readings of this passage.[5] The interpretation I am about to propose is based on Ostwald's translation of this passage.[6]

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[4] See Ostwald (1962) Glossary of Technical terms pp. 303. See also Irwin (1978) esp. fn. 18, and Burnyeat (1980) esp. pp. 70-74

[5] Ross's translation, like Irwin's and Burnyeat's translations, are quite similar to Ostwald's translation cited in the main text. However, Broadie and Rowe translate 1095b7 as follows: "But such a person either has the relevant first principles, or might

Following Burnyeat (1980), I understand Aristotle here as engaged in a dialectical inquiry towards first principles [1]. This inquiry towards first principles, Aristotle argues, must begin with what is known to us [2]; those things that are known to us can serve as our starting point. But what are the things that Aristotle thinks are known to us? What are our starting points?

Our starting points, I suggest, are the normative statuses of particular actions. As Burnyeat observes, "the ancient commentators are agreed that Aristotle has in mind knowledge about actions in accordance with the virtues; these actions are the things familiar to us from which we must start, and what we know about them is that they are noble or just." (1980:71-72) In other words, we must start our moral theorizing from our judgments about particular actions. In order to have correct starting points for moral theorizing, then, we must be able to identify right acts as right, and wrong acts as wrong. We need not know why those actions have the normative status we identify them as having [5]; one could engage in moral theorizing even if one does not know why right acts are right, as long as one has the ability to identify *that* they are right, or at the very least, if one is willing to accept the judgments of "one who speaks well" as

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easily grasp them." (Instead of Ostwald's: "A man with this kind of background has or can easily acquire the foundations from which he must start," or Ross's: "the man who has been well brought up has or can easily get starting points," or Irwin's: "Someone who is well brought up has the beginnings, or can easily acquire them," or Burnyeat's: "Such a person has, or can easily get hold of, beginnings (starting points)." The difference here is important. On Ostwald's translation, as well as on Ross's, Irwin's, and Burnyeat's, the things that the well brought up person has, or can easily acquire, are the correct starting points for the study of ethics. According to Broadie and Rowe's translation, the things the well brought up person has, or can easily acquire, are the first principles—that is, those things that our current study is trying to obtain. See Irwin (1978) fn. 18 and Irwin (1999) p. 176-7 for a discussion of this issue.

[6] My interpretation is also compatible with the translations by Ross, Irwin, and Burnyeat—see fn. 5 above.

one's starting points [6].[7] This is the reason why Aristotle insists that a competent student is one who has had a good moral upbringing [3]. A person who is brought up well should be able to tell noble acts from ignoble ones; he is expected to be able to identify courageous acts, or just acts, and he is expected to be able to tell them apart from those acts that are cowardly or unjust. The student need not know *why* a given act is right, but he ought to know *that* it is right. And following Burnyeat (again), I believe that Aristotle's goal in the *Ethics* is to teach his students *why* those acts she identifies as right, are right.

But how could one identify particular actions as right actions if one doesn't know why these acts are right? Aristotle thinks that with proper education, one could form habits that enable one to distinguish right actions from wrong ones. But since habituation is required, the acquisition of this skill involves a lengthy process; one must experience a wide range of situation in order for one's ability to identify right actions to be sufficiently reliable in order to pick out the correct starting points.[8] This is one reason why in I.3 Aristotle insists that young men are not the target audience for his lectures: "for they are inexperienced in the actions that constitute life, and what is said will start from these and will be about these." (1095a3-4, Broadie & Rowe trans.) Our

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[7] Aristotle is well aware of the infinite regress involved in demanding an explanation for all our starting points, and he claims that our starting points in matters of deliberation are particular facts: "Nor can we deliberate about particular facts, e.g., whether this is a loaf of bread or whether this loaf of bread has been properly baked: such facts are the object of sense perception. And if we continue deliberating each point in turn, we shall have to go on to infinity." (III.3: 1113a1-3, Ostwald trans.)

[8] The claim that one could know *that* an action is right without knowing *why* it is right may seem less puzzling if we consider the fact that a native speaker of a language can often tell whether a sentence is grammatical even in cases in which she might not know why it is so. Of course only native speakers who have been "brought up well" with respect to language would be able to do this correctly, and young people are less likely to have this ability.

discussion, Aristotle tells us, concerns the rightness of actions, but it also begins with correct judgments about which particular actions are right. Our ability to identify right acts as right is acquired through habituation, and the habits we form depend on the kind of moral upbringing we get. If we are not properly educated, and as a result we do not form the right habits, we would not have the right starting points for moral theorizing, and we would be "utterly useless" [6]; if our initial judgments about the normative status of actions are incorrect, then surely the first principles we discover by way of a dialectical inquiry starting from these judgments are likely to be false. Having correct starting points is key to a successful dialectical inquiry. "Hence it is no small matter," Aristotle concludes, "whether one habit or another is inculcated in us from early childhood; on the contrary, it makes a considerable difference, or, rather, all the difference." (II.1: 1103b23-24, Ostwald trans.)

In I.7 Aristotle reminds us again that we must not require the same degree of precision in all areas of inquiry, and that the appropriate degree of precision for each investigation depends on the nature of the subject matter being explored, as well as the purpose of the investigation (1098a26-28). He illustrates this last point with an example: a geometrician and a carpenter may both be interested in right angles, but their purposes are quite different; the carpenter's interest concerns the usefulness of right angles to his carpentry work, whereas the geometrician is interested in the very nature of right angles. Aristotle then goes on to say the following:

> [6] We should proceed in just the same way in other areas too, so that the side issues do not overwhelm the main ones. [7] One should not demand to know the reason *why*, either, in the same way in all matters: in some cases, it will suffice if *that* something is so has been well shown, [8] as indeed is true of starting points; some are grasped by induction, some by perception, some by a sort of habituation, and others

> in other ways: [9] one must try to get hold of each sort in the appropriate way, and take care that they are well marked out, [10] since they have great importance in relation to what comes later. For the start of something seems to be more than half of the whole, and through it many of the things being looked for seem to become evident.[9] (1098a33-1098b7, Broadie & Rowe trans.)

In this passage Aristotle tells us that inquiries can differ not only with respect to their appropriate degree of precision [7], but also in the way in which their starting points are obtained [8].[10] Moreover, Aristotle insists that it is important to obtain the starting points for each inquiry in the appropriate way [9]. "Each kind of starting point," Burnyeat explains,

> comes with a mode of acquisition appropriate to it; to give a couple of examples from the ancient commentators, we learn by induction that all men breathe, by perception that fire is hot. In ethics the appropriate mode for at least some starting points is habituation…The thesis is that we first learn (come to see) what is noble and just *not* by experience of or induction from a series of instances, nor by intuition (intellectual or perceptual), but by learning to do noble and just things, by being habituates to noble and just conduct. (73)

Finally, Aristotle stresses again the importance of having the correct starting points [10].

Aristotle's goal, as I have mentioned above, is to help us understand *why* those acts that we identify as right—our starting points—are, in fact, right. But he warns us that the kind of explanation we ought to seek should be appropriate to the subject matter we are dealing with [7]. When we explain the Pythagorean theorem, for example—that is, when we explain why for any right triangle, the area of the square whose side is the

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[9] In this passage Broadie & Rowe translate *archē* as "starting point," as does Burnyeat. In contrast, Ross, Irwin, and Ostwald opt for "first principle" (or "principle," or "fundamental principle," respectively).

[10] Aristotle again emphasizes here that in the case of starting points we need not know *why* they are so, but it is sufficient to know *that* they are so [7]-[8]. See also, III.3: 1113a1-3 and fn. 7 above.

hypotenuse is equal to the sum of the areas of the squares whose sides are the two legs—we can give a demonstrative expalanation. We can produce a deductive argument for the conclusion that the Pythagorean theorem is true. But we "should not demand to know the reason *why* in the same way in all matters." Explanations of the rightness of actions, which is what we are after here, will not be deductive explanations, and given the subject matter of ethics, they cannot be: "pure science involves demonstration," Aristotle tells us, "while things whose starting points or first causes can be other than they are do not admit of demonstrations." (VI.5: 1140a34, Ostwald trans.)

After reminding us in II.2 that the subject matter of ethics lacks fixity, and as a result, our account will not be very precise—especially in terms of its application to particular actions (1103b35-1104a9 cited in section 4.2 above)—Aristotle goes on to say this: "But though our present account is of this nature we must give what help we can." (1104a10, Ross trans.) What immediately follows, are Aristotle's observations regarding the harmful effects of excess and deficiency, and the positive effects of the proportionate amount, or the mean. These observations, Aristotle tells us, hold true for health and strength as well as for characteristics like temperance, courage, and other virtues. To act in accordance with the mean is not only the way to acquire virtuous characteristics, but is also the mark of virtuous actions.

These comments on the mean, it seems, are meant to be helpful in some way or other. But what kind of help does Aristotle intend his comments on the mean to have? Broadie (1991) proposes the following hypothesis:

> [Aristotle] could be deceived into thinking the doctrine of the mean useful in ways in which in fact it is not. This may be what happens in NE II.2, where he bewails the impossibility of giving exact rules for correct particular *responses* (1104a5-9); then says that he must give

> what help he can (1104a10-11); and then goes on to discuss, not *responses*, but *dispositions*." (101-2)

Now I agree with Broadie that if Aristotle had thought that his comments on the mean are supposed to help us identify the right response in various situations, he was mistaken about their usefulness. However, I doubt that this is what Aristotle had in mind. Indeed, in VI.1 Aristotle denies that he thinks his advice about the mean is helpful in determining what we ought to do:

> We stated earlier that we must choose the median, and not excess or deficiency, and that the median is what right reason dictates...but this statement, true though it is, lacks clarity. In all other fields of endeavor in which scientific knowledge is possible, it is indeed true to say that we must exert ourselves or relax neither too much nor too little, but to an intermediate extent and as right reason demands. But if this is the only thing a person knows, he will be none the wiser: he will, for example, not know what kind of medicines to apply to his body, if he is merely told to apply whatever medical science prescribes and in a manner in which a medical expert applies them." (1138b19-35, Ostwald trans.)

So what kind of help are these comments on the mean supposed to provide? I propose that these remarks are meant to help us *explain* why those acts that we already know are virtuous, are virtuous. If we can tell—as we must be able to in order to obtain starting points for our ethical inquiry—that a particular act is courageous, for instance, we now know that this action lies in the mean. So we can explain its rightness by pointing out that this act is neither excessive nor deficient. This, of course, is merely a rudimentary sketch of an explanatory schema—Aristotle provides us with additional details about virtues in general in the remainder of book II, and with more specific details on how to fill out this schema for each particular virtue in books III through V—but we can now already identify the basic structure of the explanation: if an act is right, then we should be able to identify a scale on which it is neither excessive nor deficient.

Aristotle is well aware of the fact that what he has given us so far is extremely undeveloped, and indeed, he goes on to expound on this explanatory model in several phases. First, right after presenting the bare bones of the proposed explanatory schema, Aristotle discusses some general features of virtues: he tells us that a mark of an action performed virtuously is that the agent of the action takes pleasure in performing the action (II.3); he distinguishes between a virtuous action and an action performed virtuously (II.4); and he identifies the genus and differentia of virtue (II.5-6). By the end of II.6 we get Aristotle's definition of virtue: "We may thus conclude that virtue or excellence is a characteristic involving choice, and that it consists in observing the mean relative to us, a mean which is defined by a rational principle, such as a man of practical wisdom would use to determine it." (1106b35-1107a1, Ostwald trans.) Now this provides us with a bit more detail regarding the explanation of why particular actions are virtuous. Consider: "Why is this action of standing one's ground in battle courageous?" We can now answer this question as follows: "This action is courageous because the agent chooses to perform this action, and it is located in the mean (relative to the agent)[11] of some relevant scale." Moreover, we now know that if the agent takes pleasure in performing this courageous action, then he is not only performing a virtuous action, but also performing it virtuously.

But this explanatory model is still extremely rudimentary, and we must learn how to fill out this schema informatively for particular cases in order to provide explanations of the rightness or wrongness of the relevant actions. Aristotle turns to this in II.7:

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[11] See II.6: 1106a30-b4.

> However, this general statement is not enough; we must also show that it fits particular instances. For in a discussion of moral actions, although the general statements have a wider range of application, statements on particular points have more truth in them: actions are concerned with particulars and our statements must harmonize with them." (1107a28-33, Ostwald trans.)

We already know that in order to explain why a particular act is virtuous we must locate this action in the mean of some relevant scale—this statement has a wide range of application—but in order to appreciate its truth, we must see how it applies to particular virtuous actions and make sure that the results of the application of the schema harmonizes with the facts—i.e., that the application of this explanatory schema generates correct result. So in II.7 Aristotle lists various scales that are relevant to each virtue.

Moreover, when possible, Aristotle also introduces the relevant vocabulary we should use in our explanation. For example, if we want to explain why an act is courageous, we should probably locate the agent's emotional state while performing the action as a mean on a scale (or scales)[12] of fear and confidence; the agent might be *reckless* if he exceeds in confidence, or *cowardly* if he is deficient in confidence. If we want to explain why an action is generous we should probably locate the action as a mean on a scale ranging from stinginess to extravagance.

Aristotle goes on to list relevant scales for other virtues. Yet he is well aware that even now we have only been given a rough sketch—"For our present purposes, we

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[12] The feelings of fear and confidence are, quite plausibly, two distinct types of emotions rather than extremes of one type of emotion (see, for example, Pears (1980)). My proposed interpretation of Aristotle is compatible with both readings—whether Aristotle intended courage to be concerned with one scale or with two different scales. The main point is that *if* an action is courageous, then the explanation of this fact involves locating the action performed and/or the agent's emotion as a mean on the relevant scale(s).

must rest content with an outline and a summary, but we shall later define these qualities more precisely" (1107b15, Ostwald trans.)—albeit a bit more substantive than what we had so far. By the end of II.7, if we are asked, for example, why Ms. Smith's act of donating $100,000 to cancer research is generous, we could say that she chose to perform this action, and that given her economic and social situation, donating $100,000 to this cause was neither stringy nor extravagant. Moreover, if we know that she took pleasure in her generous donation, we know that she has acted generously.

It is important to note that this explanatory schema does not generate deductive explanations. From the fact that Ms. Smith's action was neither stringy nor extravagant it does not follow that her action was right or virtuous. There may have been other, more urgent, causes to donate too, or there could have been good reasons not to donate to the particular organization that she had chosen. Unlike the Hempelian model of explanation (discussed in Chapter Three), this model of explanation is not syntactical, and the explanandum does not logically follow form the explanans. (Recall that Aristotle claims that we "should not demand to know the reason *why* in the same way in all matters," and that explanations in ethics "do not admit of demonstrations.") This is why it is important for Aristotle that we already know *that* the action is right before we explain *why* it is right; that the act is right is part of the data we have available to us when we explain why it is so.

I believe that my proposal helps us to make sense of several features of Aristotle's work that commentators have found perplexing. First, it helps us understand the importance of the doctrine of the mean for Aristotle's project. Some readers of the

Nicomachean Ethics have been puzzled by the seriousness with which Aristotle approaches the doctrine of the mean. As Broadie (1991) puts is:

> Aristotle regards [the doctrine of the mean] as an important contribution, to judge by the solemnity with which he introduces it and the many pages where he strains over the details of its application. Yet the doctrine often gets a disappointed reception. It seems at first to offer special illumination, but in the end, according to its critics, it only deals with truisms together with a questionable taxonomy of virtues and vices. (95)

On my reading, the doctrine of the mean plays an important explanatory role which lies at the heart of Aristotle's project. Apart from presenting the explanatory schema itself, Aristotle equips us with a rich theoretical framework and extensive vocabulary that we ought to employ in our explanations of the rightness of those acts that are right; this is why he methodically gives us the names of the virtues and vices that have names, as well as the names of the qualities that resemble virtues, but are not quite virtues.

Moreover, since the details of the explanation in each particular case will differ based on the particular features of that action whose rightness we want to explain, it is important to give many examples of how this is done. This is why Aristotle gives us many examples of the application of the generic schema. In the case of courage, for instance, Aristotle suggests different possible objects of fear (e.g., death, poverty, disease), and various contexts in which one could exemplify courage (e.g., in battle, at sea, in illness). "He is courageous," we are told,

> who endures and fears the right things, for the right motive, in the right manner, and at the right time, and who displays confidence in similar ways. For a courageous man feels and acts according to the merits of each case and as reason guides him." (III.7: 1115b19-20, Ostwald trans.)

When we explain the rightness of a particular courageous action, we must replace the hedges ("the right things," "in the right manner," etc.,) with the specifics of the particular action;[13] for example, his action was courageous because he joined the army and risked his life in order to protect his country, when no non-military option was available in order to resolve the conflict (and so forth). The only generic thing we could say about courageous actions is that they are done for the sake of the noble (III.7: 1115b23-24).

We also get examples of types of excess and deficiency (1115b25-1116a3), and a list of characteristics similar to courage that are not quite courage (III.8), including some famous examples of cases in which these qualities were displayed. (1116a20-25). With these finer distinctions, we should be able to explain why certain actions that may appear courageous are not completely courageous; for instance, although an act may seem like a courageous act it only resembles courage if the agent acts as a result of excessive optimism, or if she performs an action in ignorance of the dangers this action involves (1117a10-27). And the same holds for other virtues; the more examples we get of the application of the general schema with respect to different virtues, and the more examples we get of various states that are similar to virtue but differ from it, the more confident we will be about the appropriateness of our generic schema, and the better prepared we will be to apply it in new situations. "It will be no bad plan," Aristotle tells us in IV.7, "to describe these states [that have no name] as well; for we shall both know

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[13] See, for example, III.1: "What sort of things are to be chosen, and in return for what, it is not easy to state; for there are many differences in the particular cases." (1110b8, Ross trans.) And III.4: "What is good and pleasant differs with different characteristics and conditions, and perhaps the chief distinction of a man of high moral standards is his ability to see the truth in each particular moral question, since he is, as it were, the standard and measure for such questions." (1113a31-34, Ostwald trans.)

the facts about character better if we go through them in detail, and we shall be convinced that the virtues are means if we see this to be so in all cases." (1127a14-16, Ross trans.)

Rosalind Hursthouse expresses another difficulty that my proposed interpretation helps to resolve. In her essay 'A False Doctrine of the Mean', she argues, as the title of her paper aptly indicates, that the doctrine of the mean is false.[14] "What I want to illustrate," she tells us, "is that *right object* and *right occasion*...cannot be specified as means, and that, more generally, some vices that correspond to the virtues of temperance, courage, and what is usually translated as 'patience' or 'gentleness'—the right disposition with respect to anger—cannot be understood as dispositions to exhibit or feel an emotion (a *pathos*) too much or too little." (1980:61-2)

Hursthouse provides several examples of vicious acts that cannot be described as excessive or deficient, and concludes that "Some of the wrong objects which the greedy and wicked person enjoy would still be wrong simply in so far as they were contrary to what is honorable; if they were cases of excess this would be accidental." (64) Another example she considers involves adultery:

> It might be that one had moderate, or even unnaturally low, sexual drive. But if one has any sexual drive at all *and* cares naught for what is honorable, then one will be disposed to commit licentious acts of 'adultery'." (66)[15]

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[14] More accurately, her target is Urmson's (1973) interpretation of the doctrine of the mean.

[15] It is peculiar that Hursthouse includes this particular example, since, as I am sure she is well aware, Aristotle specifically discusses adultery as an example of a wrong action that cannot be describes as 'too much...' or 'too little...' and as an action that cannot be performed with the right woman, at the right time and so forth: "In cases of this sort, let us say adultery, rightness and wrongness do not depend on committing it with the right woman at the right time and in the right manner, but the mere fact of committing such actions at all is to do wrong. It would be just as absurd to suppose that there is a mean,

Similarly, with respect to courage she argues that there are some objects that are not appropriate objects of fear, and these objects cannot be described as 'too much of …' or 'too little of…'. These observations, Hursthouse claims, raise the following questions:

> Why does Aristotle talk in terms of excess and deficiency, too… and too… at all? Why should he not rest content with saying that men may go wrong in *countless* ways, but hit the target and achieve excellence in only one (1106b30ff) rather than even suggesting that, for each virtue, there are just two opposed ways of going wrong? (68)[16]

The answer to Hursthouse's questions, I maintain, is this: Aristotle identification of the virtuous act as lying in the mean between excess and deficiency is the essence of the explanatory schema he proposes. It is true that actions can go wrong in countless ways, but this statement doesn't explain why the right ones are right.

Now it is important to realize that Aristotle's schema is supposed to help us explain why right actions are right; the explanation involves finding the relevant scale on which the action (or emotion) is in the mean. But even though the rightness of every right action ought to be explained by locating some scale on which this action is a median (relative to the agent and /or the situation), it does not follow that the wrongness

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an excess, and a deficiency in an unjust or a cowardly or a self-indulgent act." (1107a15-19, Ostwald trans.)

[16] Hursthouse's own answer to this question is this: "The explanation is—that's just the way we happen to be; we just do wrong in these two ways. Similarly, the explanation of why the two vices should be opposed, as excess to deficiency is—that's just the way things happen to turn out; fear works that way with us. The possibility of the 'fearless phobic' shows that things might have been otherwise. If he were as common as the cowardly and the fearless, there would be three vices not two. If he and the cowardly were common and no-one was fearless, there would be two vices but they would not be opposed ones" (69). I find this solution unsatisfying. There are instances where Aristotle asserts that one of the extremes is uncommon; nevertheless, Aristotle insists on identifying the relevant virtues as a means between two extremes, which are vices.

of every wrong action ought to be explained by identifying a scale on which it is excessive or deficient. As I see it, being in the mean on the relevant scale is a necessary, but not sufficient, condition for the rightness of an action. So if there is no relevant scale to locate an action on, this action cannot be right. Furthermore, an adequate explanation of the rightness of an action will also have to replace the "hedges" of the generic schema—i.e., the right time, the right object, the right people, etc., —with the specific details of the case in hand.

Following Hursthouse's lead, Broadie (1991) also questions the generality of the doctrine of the mean as follows:

> Although some wrong responses are wrong because they are too high or too low on some scale or other, not all wrong responses can be faulted in such a way, unless metaphorically. What does a person do too much or too little when he agrees to sell secrets to a foreign power? (100)

The answer to Broadie's question will depend, of course, on the particular details of the case we are evaluating. If in this particular situation selling secrets to a foreign power is the right thing to do, then the agent's act might be wrong because he was too greedy, or because he wasn't scared enough, or too scared, or what not. However, more typical acts of treason are not right actions. If there are no good reasons to sell secrets to a foreign power, for example, then an act of selling secrets to a foreign power would be wrong not in virtue of being excessive or deficient, but in virtue of not being a mean on *any* relevant scale. In II.6 Aristotle is quite explicit about this point:

> Not every action nor every emotion admits of a mean. There are some actions and emotions whose very names connote baseness, e.g., spite, shamelessness, envy; and among actions, adultery, theft, and murder. These and similar emotions and actions imply by their very names that they are bad; it is not their excess nor their deficiency which is called bad. It is, therefore, impossible ever to do right in performing them: to perform them is always to do wrong. In cases of this sort, let us say

> adultery, rightness and wrongness do not depend on committing it with the right woman at the right time and in the right manner, but the mere fact of committing such actions at all is to do wrong. It would be just as absurd to suppose that there is a mean, an excess, and a deficiency in an unjust or a cowardly or a self-indulgent act. (1107a9-19, Ostwald trans.)

In this passage Aristotle tells us that some emotions and actions are wrong not in virtue of being excessive or deficient. A typical case of murder is simply wrong even though it would be absurd to describe it as 'too much …' or 'too little…' Contrary to some commentators who read this paragraph as indicating that Aristotle—his repeated comments on the lack of fixity in ethics not withstanding—does, in fact, think that morality can be codified (e.g., murder is always morally wrong),[17] I believe that this passage demonstrates that Aristotle thinks that there is an asymmetry between the explanation of why right acts are right, and why wrong ones are wrong. In order to explain the rightness of an action we must follow Aristotle's explanatory schema. This schema is meant to explain why right acts are right, and why some acts that may appear right are, in fact, wrong in virtue of being excessive or deficient on the relevant scale, or in virtue of failing to properly discharge the "hedges" (in the right time, with the right object, etc.,). But there are some wrong actions and emotions whose very description ought to be sufficient in order to establish their wrongness—*their very names* imply that they are bad—so no further explanation I required.

Now it is certainly true that Aristotle's discussion of vicious acts focuses on wrong acts that involve excess and deficiency. I think there are two reasons for this. First, discussion of the vices involved in excess and deficiency help us to understand the

[17] See, for example, Irwin (2000)

relevant virtues better; it shows us how the explanation of the rightness of actions would work in cases where one performs a right action in which the same scale is involved.

Second, and more importantly—and this, I believe, provides further evidence for my interpretation of Aristotle as offering an explanatory schema—the wrongness of a standard case of treason, to return to Broadie's example, is not a phenomenon that (typically) requires an explanation. When one knows full well the details of a (paradigmatic) particular act of treason, and there are no doubts about the facts of the case, the question: "Why was it wrong for Mr. Smith to betray his fellow citizens?" is rarely, if ever, asked. Indeed, it seems natural to expect that anyone who asks this question is missing some important fact about the case we are evaluating.[18] And while it is common in modern moral ethical works to ask questions like "Why is torturing babies for fun wrong?", we do not find these kinds of questions in Aristotle. Aristotle may well have though that the wrongness of treason, or the wrongness of torturing babies, is simply obvious and that since it is obvious, no explanation is required; indeed, it seems plausible to assume that the kind of person who is puzzled about why these acts are wrong would be disqualified as a proper hearer of Aristotle's lectures.

The closest Aristotle comes to discussing cases like these is in VII.5, where he mentions "the female who, they say, rips open pregnant women and devours the infants, or of the things in which some of the tribes about the Black Sea that have gone savage are said to delight—in raw meat or in human flesh, or in lending their children to one another to feast upon—or of the story told of Phalaris," (1148b20-23) and "the man who sacrificed and ate his mother, or with the slave who ate the liver of his fellow."

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[18] See Gass (1957) on what he calls "clear cases."

(1148b25-6, Ross trans.) All that Aristotle has to say about these cases is that they are instances of brutish characteristics, and brutishness, he tells us, is beyond the limits of vice.

Another interesting problem that my account resolves is a puzzle that has been largely ignored by most commentators. In his discussion of pleasure as the mark of virtue in II.3, Aristotle mentions and criticizes those who define virtues as "states of freedom from emotion and of quietude." (1104b23, Ostwald trans.) His critique of this account of virtue may seem quite odd. He says: "However, they [who so define virtue] make the mistake of using these terms absolutely and without adding such qualifications as 'in the right manner,' 'at the right time,' and so forth." (1104b24-25, Ostwald trans.) Now Aristotle's own definition of virtue as it appears in II.6 (quoted above) is incompatible with the definition of virtue as "freedom from emotion and quietude." And clearly enough, it is also incompatible with the definition of virtue as "states of freedom from emotions and quietude in the right manner, at the right time, and so forth." For Aristotle, an essential component of virtuous activity is the right emotional response; a virtuous action is not an act that is free from emotion, but rather an act that involves the *appropriate* emotion. So what should we make of Aristotle's critique of this view?

As I see it, Aristotle's criticism of this view is categorical; this view is not to be rejected in virtue of its content, although we soon learn that its content is false as well, but rather it ought to be rejected because it is the wrong *kind* of definition. Virtue simply cannot be defined absolutely and without adding such qualifications as 'in the right manner,' 'at the right time,' so we can dismiss unqualified definition even before

we assess their content. Now this comment appears in II.3, shortly after Aristotle insists that despite the lack of fixity in ethics, "we must give what help we can." (as discussed above). This point is important because it reveals that Aristotle believes that the explanations of the rightness of actions cannot be deductive; the "principles" of rightness we ought to seek will be hedged generalization, or *ceteris paribus* generalizations. But although we cannot formulate necessary and sufficient condition for right actions, we can construct moral theories that consist of hedged generalizations that enable us to explain moral phenomena.

One might worry that the explanatory schema that I am attributing to Aristotle is vacuous in the sense that we may be able to construct an explanation in accordance with this schema for any action, regardless of whether it is right or wrong. In other words, that we can identify a scale on which the action we are evaluating is a mean, and that we can discharge the hedges with specific features of the action we are evaluating, gives us no indication that the action is, in fact, right. But first, as we have seen in the passage from II.6 (1107a9-19, quoted above), according to Aristotle not every action or emotion can be located on a mean on some scale or other: "It would be … absurd to suppose that there is a mean, an excess, and a deficiency in an unjust or a cowardly or a self-indulgent act." (1107a19, Ostwald trans.) And second, we must not forget that this explanatory schema is not supposed to help us identify right actions; that the acts we identify as right are right is our staring point.

4.4 The Practical Goal of Aristotle's *Nicomachean Ethics*

So far, I have claimed that Aristotle's goal is to help us understand why those acts that we already know are right have the normative status they have. In other words,

I proposed that Aristotle is not trying to answer the question "Which of the actions available to me is morally right?" but rather, his account is meant to answer a different questions, namely: "Given that, as I already know, this action is morally right, what is it about this action that makes it right?"

One might object to this interpretation of Aristotle's project because it may seem as though this interpretation does not do justice to Aristotle's proclaimed practical ambitions in the *Nicomachean Ethics*. In I.3 Aristotle tells us that "the end of this kind of study [i.e., the study of political science and ethics] is not knowledge but action." (1095a6, Ostwald) And in II.2 Aristotle repeats this point: "The purpose of the present study is not, as it is in other inquiries, the attainment of theoretical knowledge: we are not conducting this inquiry in order to know what virtue is, but in order to become good, else there would be no advantage in studying it."[19] (1103b26-29, Ostwald trans.) But if my proposed interpretation were correct, the objector might argue, then Aristotle's project is entirely theoretical; if I am right, then Aristotle's account does not help us to identify morally right actions, but instead it only provides us with *theoretical* knowledge about why right acts are right. However, since it is unreasonable to think that Aristotle so radically missed the practical target he has set for this inquiry, we must reject the particularist reading of the *Nicomachean Ethics* that I put forward in the previous section.

That Aristotle expects his work on ethics to be practically useful might seem surprising regardless of whether we interpret him as presenting a particularist account of morality. Joachim (1951) in his commentary on the *Ethics* is, in fact, puzzled by

[19] See also I.2: 1094a22-4 and X.9: 1179a35-b4

Aristotle's practical aspirations. Joachim claims that Aristotle's comments on the practical goal of his inquiry suggest that Aristotle is uninterested in theoretical knowledge concerning human conduct.

> The reasoning about human conduct and character, [Aristotle] insists, is only with a view to influencing action. His object is not understanding—merely to understand, apparently, even if possible, is valueless—but to guide and improve life." (15)

Having stated Aristotle's goals as he does, Joachim is, perhaps unsurprisingly, disappointed with the kind of practical advice Aristotle has to offer. Indeed, he claims that in this respect Aristotle's ethical writings are in a glaring dissonance with Aristotle's own description of his project: "It is difficult to sympathize with Aristotle's views here," he writes,

> difficult even to state them fairly, because they represent a position so different from that of most modern philosophy. Why should not the philosopher reflect upon the conduct of his contemporaries and of preceding generations…why should not his reflection be directed simply to understand, i.e., to attain to that measure of insight which is possible for human intelligence in this sphere? … And why, finally, should a speculative inquiry into the phenomena of conduct be rejected as worthless? … Aristotle's own practice hardly squares with his theory…in fact, [Aristotle's] own intelligence is actively engaged in the theoretical study of conduct and in that study it is free and unprevented by emotion or by the aims of action: and very few thinkers have contributed so much to the theoretical investigation of the facts of conduct as Aristotle himself has done in the *Nicomachean Ethics* and the *Politics*." (15-16)

It seems to me that Joachim is clearly correct in highlighting the fact that a large portion of Aristotle's ethical work—indeed, arguably all of it—is distinctively theoretical in nature, and that Aristotle's lasting contribution to moral philosophy consists in the sophisticated and insightful theoretical framework he constructed. Moreover, given Aristotle's wide range of philosophical interests, it would be quite

surprising if Aristotle had thought that one ought not to reflect on moral conduct—be it one's own conduct or the conduct of others—or if he had thought that theoretical knowledge in matters of conduct is worthless. As Joachim rightly asks, why would Aristotle think that theoretical knowledge in other areas of inquiry is valuable, while in matters of conduct it is worthless? So what should we make of Aristotle's repeated remarks regarding the practical goals of his inquiry?

In order to answer this question, and in order to evaluate the objection to the particularist interpretation of Aristotle mentioned above, we have to get clear on the nature of Aristotle's practical ambitions. What would it take for an ethical treatise to be practical? How could a series of lectures (or a book) help us "to become good"?

One way for an ethical treatise to help us to become good is by formulating a (correct) decision procedure—an algorithm that takes as its input information available to the agent and gives as its output an action that the agent ought to perform. However, one would search in vain through the pages of the *Nicomachean Ethics* for anything that resembles a practicable decision procedure. And consequently, one who thought that Aristotle's goal is to help us to identify which of the many actions available to us at any given moment is an act that we ought to perform, is bound to find Aristotle's account wanting. But if Aristotle is not trying to formulate a decision procedure, how does he expect his work to help us to become good?

I propose that Aristotle's main practical ambition is to help his students perform those actions that they already know are right in a virtuous manner. As we have seen, Aristotle distinguished between performing a virtuous action, and performing an action virtuously (II.4). A *eudaimon* life, according to Aristotle, is a life that involves virtuous

activity in the strong sense—that is, a life that consists of not only virtuous actions, but of virtuous actions performed virtuously. As we shall see, Aristotle does not think that one could learn how to act virtuously merely by gaining theoretical knowledge. Nevertheless, he does believe that theoretical knowledge is necessary for acting virtuously, or at least, that it could help one learn how to act virtuously. By understanding why right acts are right, and what it takes to perform these acts virtuously, we may be able to understand in what ways we miss this mark when we do, and possibly modify our actions in order to habituate the proper emotional responses that would enable us to hit the mark, or at least come closer to the mark, in future actions.

At the very beginning of the *Nicomachean Ethics* Aristotle argues that there must be one chief good which is the end of all our actions, and he indicates that the motivation for his inquiry is practical. "If, then, there is some end of the things we do, which we desire for its own sake," Aristotle writes in I.2,

> clearly this must be the good and the chief good. Will not the knowledge of it, then, have a great influence on life? Shall we not, like archers who have a mark to aim at, be more likely to hit upon what is right?" (1094a18-24, Ross trans.)

The purpose of this inquiry, we are told, is to identify the chief good. *Knowledge* of this good is supposed to be useful or practical in the same way in which identifying a target is useful or beneficial to an archer. In the remainder of Book I, we learn more about the chief good; we find out that different kinds of things have different functions, and that what is good for each kind of thing is to perform its function well. Thus we learn that "the good of man is an activity of the soul in conformity with excellence or virtue." (I.7: 1098a15, Ostwald trans.) In book II, as we have seen in the previous

section, we get an account of the nature of virtue and virtuous activity.[20] Knowledge of the chief good, which includes knowledge of particular virtues and the doctrine of the mean, is meant to be useful by way of setting a target for us to aim at.

It is important to realize that having a target to aim at is important not only in order to determine whether a shot is successful, but also in order to identify where those shots that miss the bull's eye hit relative to it. Indeed, knowing in what direction one missed the bull's eye is essential in order to calibrate the sights of one's weapon, or in order to be able to correct for one's mistakes in those shots that were unsuccessful. A qualified student for these lectures can already tell whether an act is virtuous—i.e., whether it hit the bull's eye—but without a target to aim at, she would not know in what way she missed the mark when she did—i.e., where those shots that missed the bull's eye hit relative to it—and what she needs to do in order to hit the mark in the future.

The archery metaphor is instructive in another way. Having a target to aim at, though clearly helpful in hitting the mark, is not enough; we are not likely to hit the bull's eye consistently unless we practice the art of archery. Yet the fact that we must practice archery in addition to identifying the target in order to be able to hit the bull's

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[20] For an interesting discussion of the relationship between Aristotle's thoughts on eudaimonia in Book 1, and his theory of the moral virtues see Broadie (2006). Broadie identifies two levels of moral theorizing in Aristotle, which she dubs "architectonic" and "ground-level" (or "quotidian"). The architectonic level is focused on the final goal of human activity—*eudaimonia*—and its goal is to "articulate and implement the best arrangement overall for life in human society." (351) Architectonic thinking, according to Broadie, is independent of any particular context. Instead, it is concerned with "life-shaping arrangements that are hard to reverse: those that make the context of everything else." (351) Ground-level practical thinking, in contrast, concerns practical thinking about particular actions *within* given contexts. According to Broadie "Architectonic thinking engaged in by Aristotle is first and foremost what is producing the whole inquiry … the [ground-level] thinking that typifies the *phronimos* figures only as one of the subject matters … [it is] *part of* [the architectonic] goal as correctly elucidated." (351-2)

eye does not undermine the practical significance of having a target to aim at, nor does it entail that learning to identify our target is not learning something of great practical import.

With these observations in mind, let us examine Aristotle's comments about his practical ambitions more carefully, starting with his comment in I.3:

> [1] a young man is not equipped to be a student of politics; for he has no experience in the actions which life demands of him, and these actions form the basis and subject matter of the discussion. [2] Moreover, since he follows his emotions, his study will be pointless and unprofitable, for the end of this kind of study is not knowledge but action. [3] Whether he is young in years or immature in character makes no difference; for his deficiency is not a matter of time but of living and of pursuing all his interests under the influence of his emotions. [4] Knowledge brings no benefit to this kind of person, just as it brings none to the morally weak. [5] But those who regulate their desires and actions by a rational principle will greatly benefit from a knowledge of this subject." (I.3: 1095a3-12 Ostwald trans.)

One reason why young men are not Aristotle's preferred audience is their lack of experience [1], as we discussed in the previous section. But there is another reason: young men tend to follow their emotions. And *this* is why the study of ethics would not help them in action [2]. Our goal is not *merely* theoretical; in order to become *eudaimon* it is not enough to know that all our actions aim at *eudaimonia*, or that we ought to act virtuously, or even to know what virtue is. This knowledge might help us to achieve this goal. But this knowledge will not help us to become good if we do not put this knowledge to use, in much the same way that for an archer, having a target to aim at will not help her hit the bull's eye if she doesn't make use of the knowledge she gains by seeing where her missed shots hit relative to the bull's eye. One who is guided by one's emotions, like the weak willed person, is clearly not guided by one's knowledge, and consequently knowledge of why right actions are right, or why some actions that

resemble virtuous actions are not virtuous, provides no practical benefits to those who act impulsively [4]. And this is no less true of adults who act impulsively than it is of young men [3].

Pace Joachim, I do not think that Aristotle believes that theoretical knowledge is worthless; instead, it seems to me that Aristotle thinks that theoretical knowledge has great instrumental value—at least for certain kinds of people. Those whose actions can be guided by reason will greatly benefit from the knowledge they will gain from these lectures [5]. So Aristotle's practical goal is to provide knowledge to those people who can put it to use, and he is well aware that not many people can do this:

> Argument and teaching, I am afraid, are not effective in all cases: the soul of the listener must first have been conditioned by habits to the right kind of likes and dislikes...for a man whose life is guided by emotion will not listen to an argument that dissuades him, nor will he understand it. How can we possibly persuade a man like that to change his ways? And in general it seems that emotion does not yield to argument but only to force. Therefore, there must first be a character that somehow has an affinity for excellence or virtue, a character that loves what is noble and feels disgust at what is base. (X.9: 1179b24-30, Ostwald trans.)

So proper students for these lectures must not only be able to identify virtuous actions, but they must also be the kind of persons who are motivated to become virtuous, and can overcome their emotions and "regulate their desires and actions by a rational principle."

It is worth noting that Aristotle says nothing that is incompatible with the thought that theoretical knowledge in ethics is intrinsically valuable. So given Aristotle's interests in theoretical knowledge in all other areas of inquiry, it is, perhaps, more plausible to read Aristotle as arguing that in so far as we are interested in acting well, theoretical knowledge has instrumental value. And although theoretical

knowledge about matters of conduct also has intrinsic value independent of its contribution to helping us to become *eudaimon*, for the purposes of our current inquiry we should focus on its instrumental value.

In II.2, Aristotle discusses the unique practical purpose of the study of ethics:

> [6] The purpose of the present study is not, as it is in other inquiries, the attainment of theoretical knowledge: [7] we are not conducting this inquiry in order to know what virtue is, but in order to become good, else there would be no advantage in studying it. [8] For that reason, it becomes necessary to examine the problem of action, and to ask how they are to be performed. [9] For, as we have said, the actions determine what kind of characteristics are developed. (1103b26-30, Ostwald trans.)

Some inquiries are conducted solely for the sake of intellectual edification, yet this investigation has an additional goal [6]; in ethics and in politics we are also concerned with *acting* well. Since a significant portion of the *Nicomachean Ethics* is devoted to elucidating what virtue is, it is plausible to understand Aristotle's claim that "we are not conducting this inquiry in order to know what virtue is," as saying that we are not conducting this inquiry *merely* in order to know what virtue is. Aristotle's comments in X.9 seem to support this interpretation:

> The aim of studies about action, as we say, is surely not to study and know about a given thing, but rather to act on our knowledge. *Hence knowing about virtue is not enough*, but we must also try to possess and exercise virtue, or become good in any other way. (1179b1-4, Irwin trans. My Italics)

Our goal is to become *eudaimon*, and knowledge of what virtue is, in so far as it is a means to this end, is advantageous [7]. But even though knowledge in these matters might well be intrinsically valuable, its contribution to good conduct is not automatic. In order to see how knowledge relates to action we must understand how actions are performed [8], and how actions relate to character and virtue [9].

In II.4 Aristotle turns to the question *how* virtuous actions are performed when they are performed virtuously, and how such action are related to the virtuous person's character:

> [10] But in the case of the virtues an act is not performed justly or with self-control if the act itself is of a certain kind, but only if in addition the agent has certain characteristics as he performs it: [11] first of all, he must know what he is doing; [12] secondly, he must choose to act the way he does, and he must choose it for its own sake; [13] and in the third place, the act must spring from a firm and unchangeable character…[14] In other words, acts are called just and self-controlled when they are the kind of acts which a just and self-controlled man would perform; [15] but the just and self-controlled man is not he who performs these acts, but he who performs them in the way just and self-controlled men do. (1105a29-b9, Ostwald trans.)

In this passage we learn that in order to become *eudaimon* it is not enough to perform virtuous actions, but we must perform these actions virtuously [10]. In order to act virtuously one must know what one is doing [11]; one must choose the action one is performing for its own sake [12], and, finally, the action must "spring from" one's character [13]. So even though we were able to identify virtuous actions even before we began reading Aristotle's work, we now know that there is more to acting virtuously than performing virtuous actions [14]; we must learn how to perform these actions in the way that a virtuous person would perform them [15]. And this is exactly what Aristotle hopes to teach us.

Teaching people how to act virtuously is clearly a practical goal. Nevertheless, one of the requirements for acting virtuously is that one must know what one is doing; so at least some knowledge is required. Now it is not completely clear what knowledge Aristotle has in mind here,[21] but it seems plausible to read Aristotle as claiming that one

[21] See, for instance, Taylor (2006), esp. pp. 83-94.

must know *why* the action one is performing is right in order to act virtuously. Aristotle's claim that knowledge is the least important condition of the three conditions he mentions (1105b2) is compatible with this interpretation, since we can imagine people performing virtuous actions even though they lack knowledge of moral theory, and hence do not know why the right actions they perform are right. The knowledge requirement, it seems, can be compensated for by ample experience, as Aristotle explains in VI.11:

> We ought to pay as much attention to the sayings and opinions, undemonstrated though they are, of wise and experienced older men as we do to demonstrated truths. For experience has given such men an eye with which they can see correctly." (1143b11-14, Ostwald, trans.)

And again in X.9:

> Of course, there is probably nothing to prevent even a person with no scientific knowledge from taking good care of a particular case, if he has accurately observed by experience what happens in a particular case, just as there are some who seem to be their own best physicians, even though they are incapable of giving aid to another. Nevertheless, if a man wants to master a skill or art of some theoretical knowledge, he ought, one would think, probably to go to a universal principle, and to gain knowledge of it as best as possible. For, as we have stated, it is with this that the sciences are concerned. (1180b16-23, Ostwald trans.)

While the knowledge requirement has "little or no importance" because it can be made up for by sufficient experience, the other requirements "count not for a little but are all-decisive." (1105b3) One must act from a stable character in order to act virtuously, and clearly enough, one cannot develop the proper characteristics simply by engaging in philosophical theorizing:

> [16] Thus our assertion that a man becomes just by performing just acts and self-controlled by performing acts of self-control is correct; without performing them, nobody could ever be on the way to becoming good. [17] Yet most men do not perform such acts, but by taking refuge in argument they think that they are engaged in philosophy and that they

> will become good in this way. [18] In so doing, they act like sick men who listen attentively to what the doctor says, but fail to do any of the things he prescribes. [19] That kind of philosophical activity will not bring health to the soul any more than this sort of treatment will produce a healthy body. (1105b10-18, Ostwald trans.)

In order to develop the proper characteristics, one must form the right habits; and in order to form the right habits, one must engage in the right kinds of activities. So in order to develop a virtuous character one must perform virtuous actions [16].

Philosophical theorizing is no substitute for genuine moral practice [17]. The failure of "those who take refuge in argument" is not that they seek theoretical knowledge, but that they wrongly believe that theoretical knowledge is all that is needed in order to become *eudaimon* [17]. But theoretical knowledge is important—indeed, this knowledge is necessary, though not sufficient, for a healthy soul—since it provides us with a target to aim at. Aristotle's metaphor is, again, illuminating: a sick man must listen to what the doctor says, and must also follow the doctor's instructions in order to get healthy. Our theoretical study is analogous to the doctor's orders [19]. And those who believe that theoretical knowledge is all that is required are akin to those who listen to the doctor but fail to follow the doctor's advice [18].

Recall that the qualified students for Aristotle's lectures can already identify right actions, and they can already tell apart virtuous actions from vicious ones. Yet although such students can typically know whether the actions they perform are right or wrong, they might not know why they have the normative status they have, and consequently, they might not know what they need to do in order to act virtuously in the future. However, once they study Aristotle's lectures they will learn why right acts are right, and consequently, they may understand why and how their actions that weren't

right missed their mark, and why and how the acts they got right were successful. If they understand in what way they missed their mark when they did, they may be able to correct for these mistakes in the future. For example, while I might have known that my behavior in battle was not virtuous, I can now know that it wasn't virtuous because I felt too much fear. I now know that in order to act virtuously I need to be less fearful and more confident, and I can choose to perform actions to help me to become less fearful. Likewise, I might have known that my act of donating $50 to charity was not virtuous, but I now know that it wasn't virtuous because given my financial situation, I should have donated more.

"It is no easy task to be good," Aristotle tells us in II.9,

> for in everything it is no easy task to find the middle, e.g. to find the middle of a circle is not for every one but for him who knows; so, too, any one can get angry—that is easy—or give or spend money; but to do this to the right person, to the right extent, at the right time, with the right motive, and in the right way, that is not for every one, nor is it easy. (1109a24-29, Ross trans.)

Yet although becoming good is undoubtedly difficult, once we are able to recognize how we go wrong when we do, we may be able to fix it. And in II.9 Aristotle gives us some practical advice on how we should do this. "Hence he who aims at the intermediate must first depart from what is the more contrary to it." (1109a31, Ross trans.) Since we can tell whether particular acts are virtuous, and since we now know why the virtuous acts are virtuous, we can tell that with respect to some virtues it is more common to err towards one extreme rather than the other (e.g., with respect to courage, it is more common to err in the direction of cowardice than it is to err in the direction of recklessness.) So it is reasonable to expect that we are likely to err in this direction as well.

But of course, not all people are alike. So it is important to pay attention to our own inclinations: "But we must consider the things towards which we ourselves also are easily carried away; for some of us tend to one thing, some to another." (1109b2, Ross trans.) Since we can now identify where our action is relative to the virtuous action, we can try to pull ourselves in the right direction: "We must drag ourselves away to the contrary extreme; for we shall get into the intermediate state by drawing well away from error, as people do in straightening sticks that are bent." (1109b5, Ross trans.) We do not have direct control over our emotions, so we cannot simply decide to feel less angry, for example, if we recognize that we are angrier than we ought to be. But we can choose not to act out of anger, and we can pay attention to our emotion and try, as best we can, to calm down. "It is no easy task to be good," but presumably, if we understand the way in which we err when we do err, and if we are willing to focus our attention on trying to become good, it is not impossible to change our characteristics. "It is by doing this," Aristotle summarizes at the end of book II,

> that we shall best be able to hit the mean. But this is no doubt difficult, and especially in individual cases; for it is not easy to determine both how and with whom and on what provocation and how long one should be angry … such things depend on particular facts, and the decision rests with perception. So much, then, is plain, that the intermediate state is in all things to be praised, but that we must incline sometimes towards the excess, sometimes towards the deficiency; for so shall we most easily hit the mean and what is right. (1109b13-26, Ross trans.)

Aristotle's lectures equip us with theoretical knowledge that allows us to understand why right act are right, and the ways in which actions can fail to be done virtuously. With this knowledge we can locate each action on the target relative to the bull's eye—i.e., an action performed virtuously. Once we locate an action relative to the bull's eye, we can see why it is that we missed our mark, and consequently, we can take

measures to improve our success in the future. The measures we can take are indirect—we cannot change our emotional responses and our character instantaneously by volitional fiat. But once we understand what kind of actions we need to perform in order to modify our emotional responses and character in the right direction, we are more likely to hit the mark in the future. In this sense, then, the theoretical knowledge we gain from Aristotle's lectures is practically useful. Those who have had a decent upbringing should be able to identify right acts as right, and wrong ones as wrong. But although they can tell right from wrong they may not know in what ways the wrong actions are wrong, and what needs to be changed in order to make them right. Nevertheless, if we understand why right actions are right, and if we are the kind of people who can "regulate their desires and actions by rational principle," then Aristotle's lectures could help us to become good.

4.5 Aristotle and Moral Explanation

I have argued that Aristotle offers an explanatory schema. If we are asked to explain why a particular act is right, we should identify the relevant scale and show that on this scale the action (or the relevant emotion) lies in the mean relative to the agent—i.e., that the action (or emotion) in question is neither excessive nor deficient—and that the action was performed in the right time, towards the right people, with the right motive, and so forth. But why, one might ask, would this qualify as an *explanation* of the rightness of this action?

Now this is a difficult question to answer for several reasons. First, it is not clear what kind of an answer would be acceptable. Perhaps what we need in order to answer this question is a theory of explanation. But as we have seen in Chapter Three, there is

no agreement about what the correct theory of explanation is, or even on what conditions an explanation must satisfy. So any answer to this question is bound to be contentious.

Second, the question "Why is this an explanation?" is a question we could ask about *any* proposed explanation, and we could reiterate the questions with respect to whatever answer we receive to our original question. For example, consider some proposed explanation, *E*, of the rightness of some action, *A*. We could ask, "Why is *E* an explanation of the rightness of *A*?" Now suppose someone argued that *E* is an explanation because it satisfies condition *C*. It seems that we could very well ask, "Why is the fulfillment of condition *C* an explanation?" And surely, if one were to propose an answer to this question, we could reiterate again and ask, "Why is *this* an explanation?" It seems that at some point we would have to resort to a response of the form "This is just what an explanation is!"

So perhaps there is no reason to reject an answer of this kind to our original question. Consider: "Why does Aristotle's schema explain the rightness of an action?" "Because to show that an action lies in the mean relative to the agent, and that it is performed at the right time, with the right motives, and so forth, is just what an explanation of the rightness of an action is!" Indeed, although Aristotle doesn't explicitly talk in terms of explanations, we could read the *Nicomachean Ethics* as offering a theory of explanation of rightness and wrongness of actions. Moreover, by explicating the considerations that led Aristotle to define virtue as he did, and the relationship he identifies between virtuous activity and *eudaimonia*, we could, perhaps, alleviate some of the dissatisfaction with this kind of response, since this would

demonstrate that the explanatory schema Aristotle put forward is the product of a comprehensive theoretical framework.

But maybe we could say a bit more in order to motivate the claim that a properly filled out schema of the form I proposed on behalf or Aristotle is explanatory. An explanation to the effect that a particular action is right entails that any action that is *relevantly similar* to this one must also be right. But while in the physical sciences we can sometimes (maybe often) specify in practically useful terms the conditions under which objects or situations are "relevantly similar," in ethics, and perhaps in the social sciences in general, we cannot do this: "the decision depends on the particular facts and on perception." (IV: 1126b4, Ross trans.)

Nevetheless, Aristotle might endorse a generalized principles like this: a particular action, *A*, is right for a particular agent, *P*, in situation *S*, if and only if, *A* would be a right action for anyone relevantly like *P* in any situation relevantly like *S*. And perhaps the explanatory schema I proposed on behalf of Aristotle allows us to identify the ways in which actions, situation, and agents are relevantly similar with respect to the rightness of actions. Thus, although we cannot capture these kinds of similarities with a set of exceptionless generalization expressed in practically useful terms, we can formulate a schema that would enable those who have been brought up well to explain the ways in which right actions are similar to one another.

Now since we know that *if* an action is right, then there is some scale on which it is in the mean, we also know that if there is no scale on which an action is in the mean, then the action is wrong. Nevertheless, Aristotle's proposed explanatory schema in its general form is almost vacuous. And Aristotle, as we have seen, is well aware of this

fact; he thinks that simply stating the schema in its general form doesn't explain much (VI.1: 1138b19-35, cited above). Only when we find the relevant scale on which the action lies in the mean, and when we replace the schematic hedges with particular features of the case in hand, will we have a genuine explanation.

4.6 Conclusion

Aristotle's is not trying to answer the moral skeptic. For Aristotle, our starting points for moral theorizing are the normative statuses of actions, in much the same way as our starting points for theorizing about motion are the ways in which particular bodies move, and our starting points for theorizing about history are historical events. The theories we construct in our attempts to explain the motion of bodies, for example, try to answer questions like these: "Why do bodies move as they do?" Or "Why does this particular body moves as it does?" We are not trying to answer the question *whether* an object moves as it appears to move; that it moves as it appears to move is our starting point. Similarly, when we try to explain past events—say, why a particular battle occurred when it did, and unfolded as it had—we are not trying to answer the question *whether* this battle actually took place; that the battle took place when it did is our starting point. Similarly, when we try to explain why a particular action is right, we are not asking whether it is right; that the act is right is part of our data. And Aristotle's lectures are aimed towards students who can correctly identify right actions as right.

Yet although Aristotle's preferred students can correctly identify right and wrong actions, Aristotle thinks that his lectures could help such students to become good. Given the data about right and wrong actions, Aristotle constructs a theory that enables his students to understand the ways in which wrong actions miss their mark.

Surely, if one's judgments about rightness of actions are mistaken, one's judgments about the way in which various actions miss their mark are bound to be wrong as well. Nevertheless, those who have had proper moral upbringing—those who have formed the right habits, who can identify right acts when they see them, who can control their actions by rational principle, and who have the right likes and dislikes—can profit from Aristotle's lectures. They would learn what an explanation of the rightness of actions ought to look like, and they would learn how to correctly substitute the generic features of the explanatory schema with the relevant particular features of the actions they evaluate. Moreover, by recognizing the ways in which their own actions miss their mark when they do, they could choose to perform actions that will help them acquire the right habits in order to hit the mark in the future.

Aristotle's explanation of the rightness of particular actions is not based on the availability of exceptionless moral principles. Aristotle believes that the moral landscape is extremely complex, and that there is very little we could say about morality by way of exceptionless universally quantified statements. Nevertheless, this does not mean that we cannot discuss moral phenomena intelligibly, or that we cannot construct explanatory moral theories, as Aristotle's *Nicomachean Ethics* so aptly illustrates. This, I believe, provides a direct demonstration that particularism is a viable research program. Indeed, if my proposed interpretation of Aristotle is plausible, then the most influential moral theory in the history of philosophy is, arguably, a particularist theory.

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